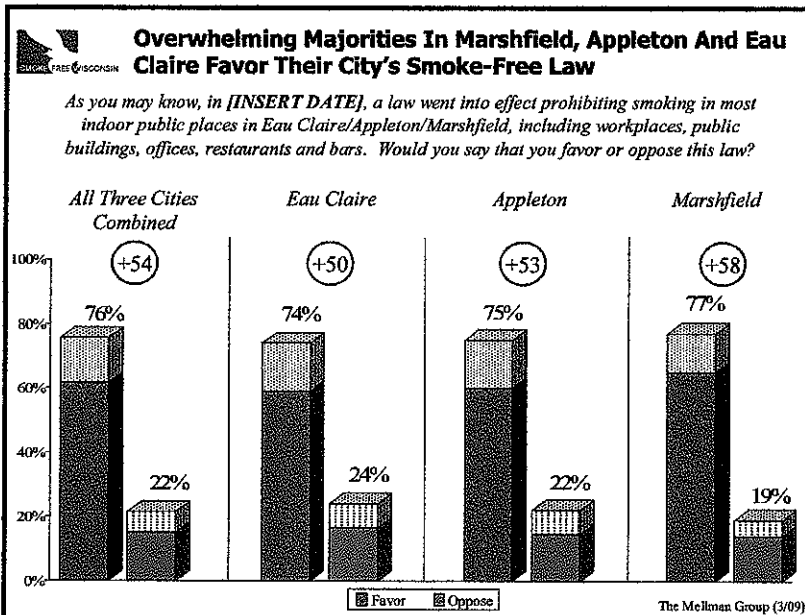


**TO:** Smoke Free Wisconsin  
**FROM:** The Mellman Group, Inc.  
**RE:** Surveys In Smoke-Free Communities In Wisconsin  
**DATE:** April 3, 2009

The Mellman Group conducted citywide surveys of 400 registered voters in Marshfield and 400 likely voters in Appleton and Eau Claire. The polls were conducted by telephone February 23-25 in Appleton and Eau Claire, and March 21-24, 2009 in Marshfield, using registration-based samples. The margin of error for each survey is +/-4.9%, at the 95% level of confidence. The margin of error is larger for subgroups.



## Voters In Smoke-Free Cities Overwhelmingly Support Their Smoke-Free Laws

In April 2008, we conducted a statewide survey of likely voters in Wisconsin, in partnership with Republican polling firm Public Opinion Strategies, showing that 69% favor a statewide smoke-free law that prohibits smoking in most indoor public places, including all workplaces, public buildings, offices restaurants and bars, and that only 28% oppose such a law.

This year, instead of conducting another statewide survey, we measured support for already

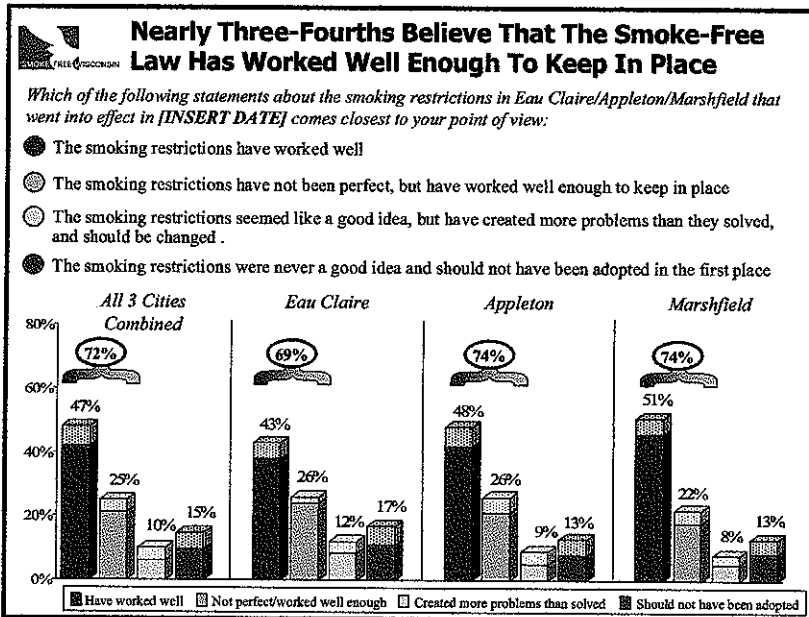
existing smoke-free laws in Appleton, Marshfield and Eau Claire, which have each implemented comprehensive smoking restrictions in the last four years. We found that support for the smoke-free laws in these three cities is actually stronger than support for a statewide smoke-free law. Indeed, 74% of voters in Eau Claire, 75% of voters in Appleton and 77% of voters in Marshfield all favor their cities prohibition on smoking in indoor public places. This suggests that, contrary to the doomsday predictions put forth by some opponents of these laws, smoking restrictions have been enthusiastically embraced in cities that have implemented them.

% Favor/Oppose Smoke-Free Law (Appleton, Marshfield & Eau Claire Combined)		
	Favor	Oppose
Total	76%	22%
Men	74%	23%
Women	77%	20%
Democrat	76%	21%
Independent	75%	22%
Republican	76%	22%
18-39	77%	21%
40-59	73%	23%
60+	77%	20%
Current/Occas Smoker	48%	48%
Former Smoker	79%	19%
Never Smoked	85%	12%
HS or Less	68%	28%
Some College	74%	24%
College Grad+	81%	16%

In order to gain a better understanding of support for smoke-free laws across demographic subgroups, we combined the results for all three cities into one data set. Support for the smoke-free law is especially strong among those who go out to restaurants and bars most frequently. Among those who go out once a week or more, 78% favor the law, while only 19% oppose it. A similar number of those who go out a few times a month (77% favor, 20% oppose) favor the law. Indeed, only among those who go out less than once a month or never is support a bit less robust (61% favor, 32% oppose), though even among these voters, a sizable majority favor their city's smoke-free law.

As the chart at left indicates, support for the smoke-free law crosses party lines and demographic groups. Democrats, Independents and Republicans favor the law by nearly identical margins, suggesting that there is little, if any, partisan polarization around this issue. Support is also very strong across gender, age, and education groups.

Surprisingly, even those who say they are current or occasional smokers (21% of our sample) are evenly split on the law, with 48% of this group supporting it and 48% opposing it. However, the smoking restrictions garner overwhelming support among the much larger number of non-smokers, including former smokers (79% favor, 19% oppose), and those who have never smoked (85% favor, 12% oppose).



### Most Believe The Smoke Free Law Has Worked Well Enough To Keep It In Place

More than 7 in 10 voters in the three cities where smoke-free laws have been implemented believe that the smoking restrictions have worked well and should be kept in place, while only 25% believe that the law should either be changed or should have not been adopted in the first place. Just under half (47%) believe that the restrictions have worked well, and another 25% believe that, while the restrictions have not been perfect, they have worked well enough to keep in place. By contrast, only 15% believe that the smoke-free law should never have been

adopted in the first place. Seventy-two percent (72%) of Democrats, 71% of independents, and 75% of Republicans believe the law has worked well, or at least well enough to keep in place. Likewise over three-fourths (76%) of those who go out to restaurants weekly or more have a positive reaction to the smoking restrictions.

Support for keeping the smoking restrictions in place is consistently strong in each of the three cities, with 69% of Eau Claire voters, 74% of Appleton voters and 74% of Marshfield voters believing that the smoking restrictions have either worked well, or despite imperfections, have worked well enough to keep in place.

### The Positive Reaction To These Smoke-Free Laws Is Rooted In The Perceived Danger Posed By Secondhand Smoke And The Belief That The Right To Clean Air Trumps Smokers' Rights

Overwhelming support for these smoke-free laws is a function of concern about the dangers of secondhand smoke and the priority accorded to the rights of customers and employees over those of smokers. Overall, 83% of voters in the three cities believe secondhand smoke is at least a "moderate" health hazard, with a sizable majority (62%) saying it constitutes a "serious health hazard." Only 14% believe secondhand smoke to be a "minor health hazard" or "not a health hazard at all." Eighty-three percent (83%) of Eau Claire voters, 83% of Appleton voters and 84% of Marshfield voters consider secondhand smoke to be a serious or moderate health hazard.



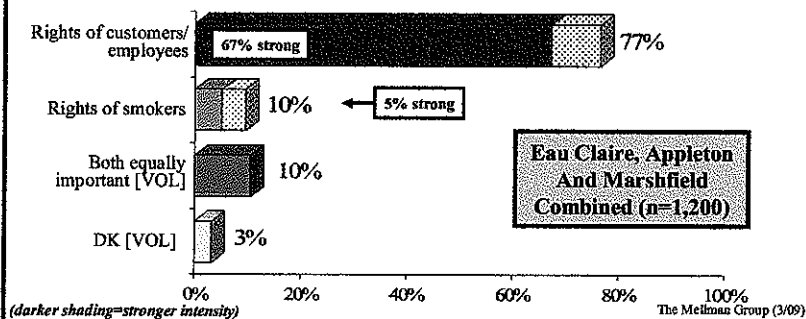
## Voters In The Smoke-Free Cities Believe The Right Of Customers And Employees To Breathe Clean Air Trumps The Right Of Smokers To Smoke

Please indicate which one of the following you think is more important:

☒ The rights of customers and employees to breathe clean air in restaurants, bars and other indoor public places

OR

☐ The rights of smokers to smoke inside restaurants, bars and other indoor public places



Voters in these cities attach greater priority to the right to breathe clean air in restaurants and bars over the right of smokers to smoke inside those establishments. Seventy-seven percent (77%) say “the rights of customers and employees to breathe clean air in restaurants, bars and other indoor public places” takes precedence, while only 10% attach higher priority to “the rights of smokers to smoke inside restaurants and bars.” Even a majority of smokers (51%) agree that the rights of customers and employees to breathe clean air in restaurants trump their right to smoke in restaurants and bars. More than three-quarters of the voters in all three cities believe that the right to smoke-free air trumps the right of smokers to smoke.

## Voters In The Smoke-Free Cities Strongly Agree With The Rationale Behind A Smoke-Free Law

Voters in Eau Claire, Appleton and Marshfield are strongly on board with the rationale behind passing the cities’ smoke-free laws. When read several statements about smoking in public places, voters in these cities overwhelmingly agree that all workers should be protected from exposure to secondhand smoke, that restaurants and bars are healthier now that they are smoke-free, and that it has been nice going out to restaurants and bars in their respective cities without smelling like cigarette smoke. The reaction to these statements is consistent across all three cities, with over 80% of the voters in each agreeing with each of the three statements

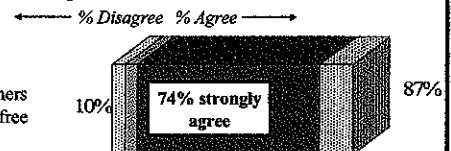


## Most Voters Agree That Restaurants And Bars Have Become Healthier And More Enjoyable Since Becoming Smoke-Free

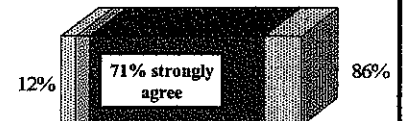
Now I’m going to read a series of statements. After I read each one, please tell me whether you personally agree or disagree with that statement

Eau Claire, Appleton & Marshfield Combined (n=1,200)

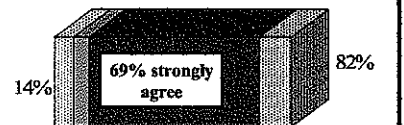
Restaurants and bars are healthier for customers and employees now that they are smoke-free



All workers in Eau Claire/Appleton/Marshfield should be protected from exposure to secondhand smoke in the workplace



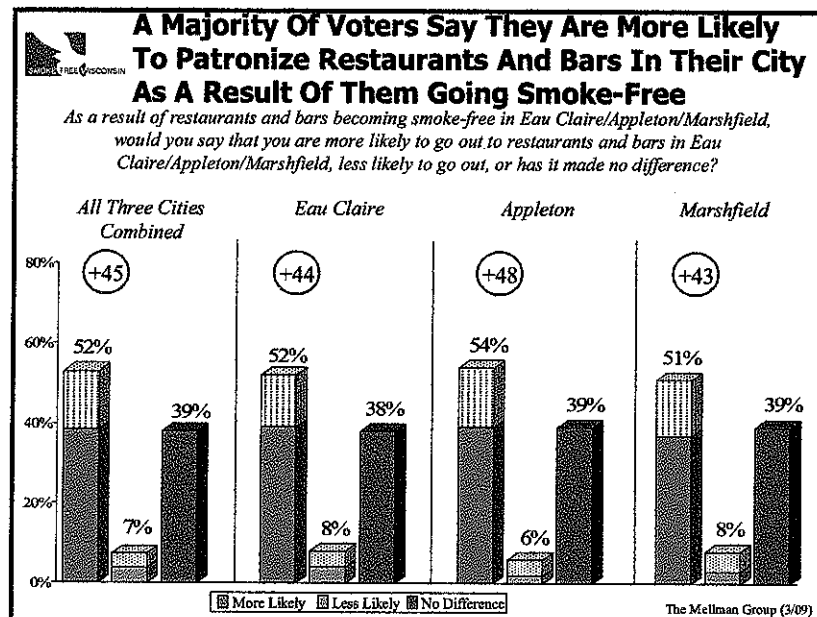
It has been really nice to go out and enjoy restaurants and bars in Eau Claire/Appleton/Marshfield without smelling like cigarette smoke when you get home



Darker shading = stronger intensity

The Mellman Group (3/09)

## Evidence Suggests That Voters In Eau Claire, Appleton And Marshfield Are More Likely To Go To Restaurants And Bars As A Result Of The Smoke-Free Law



Contrary to the opinions expressed by some opponents of these laws, there is evidence that residents of Eau Claire, Appleton and Marshfield are more likely patronize restaurants and bars in their city as a result of them becoming smoke-free. More than half (52%) of the cities' voters say they are more likely to go out to restaurants and bars since they have become smoke-free, compared to 7% who say they are less likely to go out, and 39% who say it has made no difference. An even larger majority of those who have never smoked (66%) say they are more likely to go out as a result of the smoke-free law. Strikingly, a sizable majority of smokers (73%) say that the smoke-free

law has made them more likely to go out (25%), or made no difference to them (48%) – only 24% of smokers say they are less likely to go out. Among those who go out to restaurants weekly or more, 59% say they are more likely to go out, while only 9% say they are less likely to go out. As the chart above illustrates, a majority of voters in all three cities say they are more likely to patronize restaurants in bars – exceeding the number who say they will go out less often by more than a 6 to 1 margin in all three cities.

Likewise, voters in these smoke-free cities believe that going out has become a more enjoyable experience since their city's smoke-free law took effect. Sixty-three percent (63%) say that going out has become more enjoyable since the smoking restrictions took effect, while only 8% say that going out has become less enjoyable. An even larger majority of the most frequent patrons of restaurants and bars says that going out has become more enjoyable (70% more enjoyable, 7% less enjoyable). Sixty-one percent (61%) of Eau Claire voters, 65% of Appleton voters and 63% of Marshfield voters say that patronizing restaurants and bars in their respective city has become more enjoyable since they have become smoke-free.

Statewide surveys conducted in 2006, 2007 and 2008 all show that a roughly two-thirds of the state's voters favor a comprehensive statewide smoke-free law in Wisconsin. Our findings from these three surveys demonstrate that smoke-free laws are even more popular in communities where they are already in effect, with approximately three-quarters of the voters in Appleton, Eau Claire and Marshfield supporting their city's smoke-free law. Moreover, contrary to the scare tactics and unreliable anecdotal evidence employed by opponents of smoke-free laws, the data from these surveys suggest that smoke-free laws have likely had a positive effect on patronage of restaurants and bars, and that most voters prioritize their right to breathe clean air over smokers' right to smoke.



## Written Testimony of Dr. Michael Jaeger, Managing Medical Director of Anthem Blue Cross and Blue Shield in Wisconsin, on Senate Bill 181 and Assembly Bill 253

May 5, 2009

As a family doctor and parent, as well as someone who has worked in both a large hospital system and as a medical professional at a major health insurance company, I urge the Legislature to quickly pass Senate Bill 181 and Assembly Bill 253 enacting a statewide smoke-free law.

All the scientific evidence we have shows that there is absolutely no safe level of secondhand smoke. In fact, a recent study of air quality at several Milwaukee-area businesses found all venues that allowed smoking to have air quality that would be considered unhealthy by the Wisconsin Department of Natural Resources. Furthermore, in 75 percent of those establishments in the study that allowed smoking, the air quality was so bad it was considered akin to standing downwind from a forest fire.

While many will argue that smoking is a personal decision, it is not. The unnecessary and enormous health care costs related to smoking and secondhand smoke affects us all. As I wrote in a February 24, 2009 opinion column in the Milwaukee Journal Sentinel:

"It is estimated that secondhand smoke causes 50,000 deaths in adult non-smokers in the United States each year – including 3,400 lung cancer deaths and 20,000 to 50,000 heart disease deaths. With an average lung cancer treatment cost of \$100,000 per case, the 3,400 lung cancer deaths caused by secondhand smoke result in \$340 million in unnecessary health care costs each year. In Wisconsin, the state Department of Administration reports that smoking is directly responsible for \$2 billion in health care costs each year, one quarter of which is directly shouldered by the taxpayers through the Medicaid system. And – just in case you still think smoking is a personal decision that doesn't impact you – remember that health care costs of these magnitudes affect everyone, both smokers and non-smokers alike, in the form of higher health insurance premiums and medical costs."

Our neighbors in Minnesota, Iowa and Illinois are out ahead of us on this issue and have already enacted smoke-free laws. Nobody in Wisconsin likes losing to Minnesota, Iowa or Illinois in football or basketball. Why should we continue to let them beat us in public health policy?

Anthem Blue Cross and Blue Shield provides health benefits to nearly one million members in Wisconsin and cares deeply about the communities we serve. Therefore, on behalf of our members, our employees throughout the state, and all those who silently suffer from illnesses caused by second-hand smoke, please pass Senate Bill 181 and Assembly Bill 253 and make smoke-free workplaces the law.

Thank you.

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### Attachments:

- Milwaukee Journal Sentinel opinion column, "Statewide smoke free law is due," by Dr. Michael Jaeger, published February 24, 2009
- Dr. Michael Jaeger biography

**OPINION COLUMN****Published in the Milwaukee Journal Sentinel on February 24, 2009****Statewide smoke-free law is due****Dr. Michael Jaeger**

We've all watched scenes of wildfires on television and held our breath as brave emergency response crews struggled to hold back flames long enough to evacuate victims from clouds of poisonous smoke. The real tragedy in these situations is not the property damage, but the human toll, counted in lives lost, injuries incurred and plans interrupted.

Be it the recent tragedy in Australia, or wildfires closer to home in California and Florida, the damage is always horrific and with long term consequences. Yet no matter how high definition the television screen or vivid the printed pictures of the fires, it is hard to not feel somewhat detached from the damage because we are fortunate enough to rarely experience that kind of tragedy in Wisconsin. Or at least that's what we think.

Though Wisconsin's public health is seldom threatened by wildfire, a different cloud of toxic smoke is filling our public places and threatening the health of the entire state: secondhand smoke.

While our friends and neighbors in Minnesota, Iowa and Illinois have gone smoke-free, Wisconsin has been unable to pass a statewide smoke-free law – allowing dangerous, cancer-causing chemicals found in cigarette smoke like arsenic, benzene and vinyl chloride to continue floating through the air. It is a legislative failure that shows a complete disregard for the public health and ignores the will of 69 percent of voters who favor a smoke-free law.

The medical community is unified in its assessment – there is no safe level of secondhand smoke. In fact, even in restaurants with separate smoking and non-smoking sections there is no noticeable difference in indoor air quality.

A recent study of 32 Milwaukee-area businesses conducted by the Smoke Free Milwaukee Project found all 29 establishments in its sample that allowed smoking to have air quality that would be considered unhealthy by the Wisconsin Department of Natural Resources. The air quality in 22 of those 29 unhealthy establishments was so bad it was characterized as being equivalent to standing downwind from a forest fire.

It is estimated that secondhand smoke causes 50,000 deaths in adult non-smokers in the United States each year – including 3,400 lung cancer deaths and 20,000 to 50,000 heart disease deaths. With an average lung cancer treatment cost of \$100,000 per case, the 3,400 lung cancer deaths caused by secondhand smoke result in \$340 million in unnecessary health care costs each year. In Wisconsin, the state Department of Administration reports that smoking is directly responsible for \$2 billion in health care costs each year, one quarter of which is directly shouldered by the taxpayers through the Medicaid system. And – just in case you still think smoking is a personal decision that doesn't impact you – remember that health care costs of these magnitudes affect everyone, both smokers and non-smokers alike, in the form of higher health insurance premiums and medical costs.

Wisconsin is long overdue to join our peers by enacting a statewide smoke-free law. Governor Doyle's inclusion of such a measure in his state budget should be applauded, as should his proposal to increase the cigarette tax by 75 cents a pack. Increases in the cigarette tax have been proven to prevent kids from starting to smoke and prompting adults to quit, and a statewide smoke-free law would provide a level playing field for businesses currently competing in a patchwork of local smoking laws and regulations.

Governor Doyle's budget proposals make sense – both in times of economic deficit and surplus – and will greatly improve the public health. It is time for the Legislature to reflect the will of the people and make these proposals the law.

*Dr. Michael Jaeger is the managing medical director of Anthem Blue Cross and Blue Shield in Wisconsin and a member of the boards of Smoke Free Wisconsin and the American Lung Association of Wisconsin.*

## **Michael Jaeger, M.D., Medical Director**

Dr. Michael Jaeger serves as medical director for Anthem Blue Cross and Blue Shield in Wisconsin. He is responsible for the administration of medical services for all Anthem Blue Cross and Blue Shield products and provider networks in Wisconsin along with ensuring clinical integrity of broad and significant clinical programs, including the overall medical policies.

Dr. Jaeger has more than 25 years of combined experience as a practicing physician, residency educator and health plan medical manager. Prior to joining Anthem Blue Cross and Blue Shield, Dr. Jaeger served as senior medical officer for care management at Aurora Health Care, where he was responsible for the overall quality management and wellness for the entire Aurora Health Care System and more specifically, Aurora Health Care employees.

Dr. Jaeger is a licensed and board certified specialist in Family Medicine. He earned his bachelor's degree and medical degree from the University of Wisconsin-Madison and completed his residency at St. Mary's in Grand Rapids, Mich.



**To:** Senator Jon Richards, Chair

Members of Assembly Committee on Health and Healthcare Reform

**From:** Maureen Busalacchi, Executive Director, SmokeFree Wisconsin

**Date:** May 6, 2009

**RE:** Support for AB 254

Good morning. Thank you, Representative Richards for holding a hearing on AB 253. This is important public health policy and we are pleased to see this moving forward.

Let me start off by saying smoke-free air laws are very popular with the public as we have seen sky high satisfaction rates in cities that have passed these laws. (The Marshfield ordinance that was implemented in two weeks over a year ago had a 77% rate of satisfaction among voters. More people approve of it now than voted for it a year ago.) The statewide poll that was conducted last year showed a 69% of the population wants a statewide smoke-free air law. Since then, over 250,000 people are now covered by comprehensive local ordinances that were passed since the last legislative session ended. That certainly helps make a smoke-free air laws easier to enforce because the public wants them and enjoys them.

Making all Wisconsin work places smoke-free is incredibly important and critical to the health of workers in Wisconsin. We know from studies done around the world that smoke-free air laws bring immediate health benefits to workers. We see lower respiratory distress symptoms that go away almost immediately. We know that heart attack rates for the population as a whole drop. And it makes for a cleaner, healthier environment to work in. You have the power to change that.

But the real reason to pass this law is because of the people that have been adversely affected by secondhand smoke. Exposure to secondhand smoke is dangerous and no worker should have to deal with that. We have collected literally hundreds of stories of people who have been harmed or have someone they care about harmed by secondhand smoke. Cancer rates are 3 – 4 times higher in waitresses and bartenders when compared to the general population. *I've traveled around the state and have heard real stories about waitresses who have had to quit their jobs because they became pregnant and worried about the effects of their work environment on their child. I've heard about bartenders becoming chronically ill from the secondhand smoke they've inhaled at during work hours.* In these tough economic times, no one should have to choose between their health and a paycheck. There is no reason we can't change this in Wisconsin and create healthy environments for all workers. Wisconsin does that for bank tellers and cashiers at our local grocery and retail stores. Bartenders and waitresses deserve the same protection. It's time for a strong statewide smoke-free air bill, and I urge you to pass AB 253.



## **Testimony before the Wisconsin State Assembly Health and Healthcare Reform Committee**

**Wednesday, May 6, 2009**

**Jari Johnston-Allen , CEO, American Cancer Society MW Division**

As CEO of the American Cancer Society and a resident of Wisconsin I am committed to doing everything possible to alleviate the burden of cancer in our state.

This year in Wisconsin close to 28,000 people will be diagnosed with cancer, more than 11,000 of whom will die.

One of the most deadly forms of the disease is lung cancer. Less than 25% of the 4,000 people in Wisconsin told they have lung cancer this year will live to see next year. The five year survival rate for lung cancer is 15%. These are odds no one should have to face especially if their illness is because of secondhand smoke.

Secondhand smoke is a serious health hazard that contains at least 69 known carcinogens including benzene, cadmium, and vinyl chloride. These chemicals have all been linked to increased risk of lung, liver and brain cancer as well as leukemia and lymphoma.

Every day countless workers in Wisconsin are forced to inhale these toxins as part of their work environment. They spend long shifts doing hard work only to be rewarded with poor health and increased risk for cancer. Nonsmoking bar and restaurant workers have as much as 50 percent greater risk of dying of lung cancer than the general public due in part to their exposure to secondhand smoke on the job.

These are people like Jennifer Sullivan of Milwaukee, June Farkas of Superior and Rebecca Pagel of Lena, all of whom submitted their stories to the Holding Our Breath website.

Jennifer Sullivan is a manager at a popular pub and restaurant in Milwaukee and she's pregnant. She writes that she wants a statewide smoke-free law because right now she's forced to choose between going to work in order to make money to support her baby and her baby's health.

June Farkas of Superior writes that her would-be mother in-law was a nonsmoking waitress and bartender but died of lung cancer when June's husband was just seven years old. June wonders how many little boys will have to grow up without a mom and wants to know what Wisconsin is waiting for when it comes to a statewide smoke-free law.

Rebecca Pagel of Lena would also like an answer to that question. Rebecca writes that her father smoked a pack a day and she took care of him during the last three weeks of his life while he struggled to breathe. She says that if smoking affected only those who made the choice to smoke, she would have no problem with that, but the price others are forced to pay is unacceptable.

The price Wisconsin is forced to pay in smoking related health care costs is \$2 billion annually, \$500 million of which comes direct from taxpayers in the form of Medicaid payments.

In 2004, which is the most recent data available, the Centers for Disease Control estimated the annual cost of treating lung cancer in the United States at \$9.6 billion dollars. The average Medicare payments per individual with lung cancer was nearly \$25,000. And overall cancer treatment accounted for an estimated \$72.1 billion—just under 5 percent of U.S. spending for all medical treatment.

At a time of record budget deficits we need to do everything possible to reduce the burden of tobacco in Wisconsin. Eliminating secondhand smoke at work is an effective way to reduce the risk of cancer and improve public health.

A University of Wisconsin study of bartenders in Madison and Appleton found a significant reduction in upper respiratory problems including wheezing, coughing and shortness of breath among non-smoking bar workers in the weeks after both cities went smoke-free.

A University of Minnesota study found an 83% reduction in tobacco-specific cancer causing chemicals in nonsmoking bar workers after Minnesota's 2007 smoke-free law went into effect.

These are just two studies among decades of research that has proven the health hazards of secondhand smoke and the benefits of going smoke-free.

Moreover, going smoke-free is popular. A series of recent polls conducted in Eau Claire, Appleton and Marshfield, show well over 70% of people in these communities support their city's smoke-free ordinance. There are now a half million people in Wisconsin living in smoke-free cities and 25 states that have passed strong smoke-free laws.

Clearly going smoke-free is becoming the norm not the anomaly, which is great for the workers and public in some Wisconsin communities, but is insufficient for the rest of the state.

Without a statewide law, Danielle Berkovitz a Hodgkin's Lymphoma survivor in Kewaunee whose treatment reduced her lung function cannot go enjoy an evening out with friends without risking her health.

Katie Wojtak a breast cancer survivor in Kenosha will have to stay home rather than fully live the life she fought to keep because her cancer treatment aggravated her asthma and she can no longer tolerate secondhand smoke.

And Kelly LaPorta, a cancer survivor in Cedarburg, will keep wondering when Wisconsin will fully commit to further eradicating a disease she never wants her young son to face.

Danielle, Katie and Kelly along with every cancer survivor and every person in the state of Wisconsin deserves the right to smoke-free air at work and in public.

As the CEO of the Midwest Division of the American Cancer Society, a citizen of Wisconsin and someone with a deep commitment to reducing the number of needless deaths from cancer in our state I urge you to support a strong statewide smoke-free workplace bill.

We've been holding our breath long enough!

Dane M Schaefer  
The Epicure LLC  
1133 Michigan Ave  
Sheboygan, WI 53081  
920.912.3638

Good Afternoon,

I would like to start by thanking those present for taking the time to hear the public's thoughts and concerns regarding the smoking ban

My name is Dane Schaefer. I am the owner of The Epicure Lounge in Sheboygan. I opened it in September of 2006 and business is going very well. The Epicure Lounge is a hookah bar. A hookah is a middle eastern water pipe used to smoke tobacco. I sell no food products. I sell no intoxicating beverages. The Epicure Lounge is not a bar, or a restaurant. Roughly **70%** of it's income is generated from the **indoor** smoking of tobacco. Another 5 to 10% of its income is generated from retailing tobacco products. The remainder is non-intoxicating beverages. The Epicure lounge's product **IS** indoor smoking. The few beverages sold will not be sold if it is illegal to smoke indoors at my business. If the smoking ban is passed in its current form, without including exemptions for my business and businesses similar to mine, I will lose my business. All of it. The state will effectively shut it down. It will be profitable one day and within 24 hours it will have zero income.

This comes at a time when we are struggling with national, state, and local economies. This comes at a time when my business has just bought a building that has sat vacant for over two years. When it is paying local contractors, who have had less work than usual, to completely remodel said building and when I am planning on hiring employees.

As a thanks for that economic contribution, the state I invested in is going to shut me down with a law written far too broadly. Wisconsin is willing to turn its back on the sales tax, the **50%** tobacco products tax I pay, a few more jobs, and an ambitious young entrepreneur. This is not a matter of personal feelings about the smoking ban. It simply makes no sense that a business like mine would be included in this legislation.

Thank you again for your time.

Please visit <http://www.epiculounge.com> for more information



## What is the Cigar Store Alliance of Wisconsin?

The Cigar Store Alliance of Wisconsin is a group of small tobacco shop retailers and cigar bars. We are **NOT** Big Tobacco. We are small businessmen and women who contribute to the Wisconsin economy by employing an average of \_\_\_\_ Wisconsin residents; we also pay Other Tobacco Product taxes, State Income Taxes, and State Sales Tax.

Our businesses compete with cross border establishments, Internet companies, and Catalogue Companies. When the consumer chooses those competitive alternatives not only do we lose revenue but the State of Wisconsin typically loses their tax revenue.

One of the ways we can compete with lower prices is providing our customers a place where they can congregate, socialize, and enjoy their purchases with like other cigar enthusiasts. Having a smoking environment is critical to our business models. Without the ability to provide that environment there is no way we could compete with the lower pricing of the internet and catalogue companies.

In addition, most of our members are heavily involved in our communities and raise tens of thousands of dollars a year for local charities. Please recognize our businesses are smoking destinations and should not be a part of any smoking ban.

327 W Main Street  
Waukesha, WI 53186  
414-406-5712

**May 6, 2009**

**Assembly Committee on Health and Healthcare Reform**

Committee Members, thank you for the opportunity to speak to you this morning.

My name is Jeff Melby. I'm simply here as a concerned citizen today. I live in Portage and work in the Columbia – Sauk County area. I'm here to urge you to support AB 253 promptly and without unnecessary exemptions. This issue is important to Wisconsin citizens.

I would briefly like to put a face on this issue as I gave to the members of the Joint Finance Committee and Senate Health Committee. My daughter Michaela was born with a congenital heart problem that affected her re-circulation of oxygen. When she was 7 months old, our family spent three weeks at Milwaukee Children's Hospital to have her condition operated on - one week in intensive care and two more weeks in recovery. Fortunately, she had one of the finest Pediatric Cardiologists in the Midwest and is doing well today.



Since her surgery, the importance for her health (and our family's) has us avoiding ANY public place where tobacco smoke is present because of the very detrimental, even short-term effects it can have on anyone's heart, but especially hers. We have always been cautious that she is not exposed to tobacco smoke which has not always been an easy task.

Please take a moment to think about an excited 7 year old child who receives a birthday party invitation to go to the bowling alley - an obviously funtastic activity. Now imagine trying to explain to her she won't be able to attend her friend's party. We tell her it is only because this public place unfortunately has "heart poisons" in the air, but a child has quite a hard time understanding this as you might guess.

This issue has also come up in a different way recently when her school class was to go to the bowling alley as part of their PE curriculum. We contacted the teachers and principal of the school and inquired why students were participating in an activity that was being held at a potentially unhealthy venue. We also questioned if school districts from all over the state regularly do this -- leave tobacco-free school grounds (by state law) and hold activities at facilities that allow smoking. It brings up the hard question between a school's required participation for student's PE curriculums in what is meant to be a fun, healthy physical activity and the unhealthy environments where they might participate.

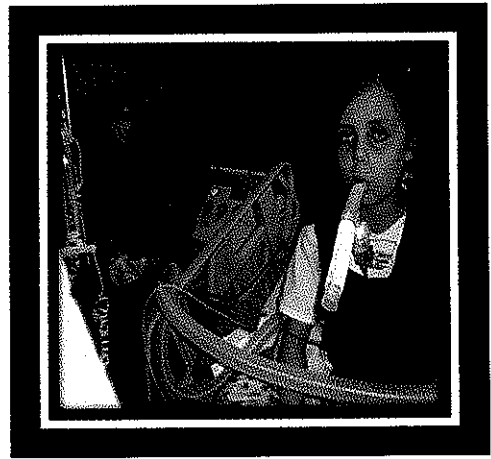
Hopefully these are more examples of why all citizens deserve protection in the form of smoke-free public places. My daughter's hope is to be able to have a future that does not need to worry about any "heart dangers" wherever she wants to be. Again, please support this legislation before you. Thank you.

Jeff Melby, Portage

May 5, 2009

Dear Chairman and Members of the Health Committee,

My name is Stephanie Timm-Brown; I am a RN and mother of an eight year old little girl named Taylor Elizabeth and a six year old little boy named Ryan Scott. I have come here today to speak about the vital importance of smoke free air.



When my daughter was six days old our family was given the devastating news that she has cystic fibrosis. Cystic fibrosis is a lethal progressive genetic lung disease that causes the cells of the body to malfunction and produce thick sticky mucus in the lungs and other vital organs of the body inhibiting proper function. Taylor does hours of breathing treatments and chest therapy to prolong the devastating effects of cystic fibrosis on her lungs. She also takes 30-45 pills a day to help her digest her food and stay healthy. When Taylor's lung function declines she is admitted to Children's Hospital of Wisconsin (see picture above) and is given an intensive regimen of breathing treatments, chest therapy, and I.V. antibiotics.

There are more than 4,000 chemical compounds in second hand smoke. Some of the most lethal include: carbon monoxide, ammonia, multiple pesticides, formaldehyde, and cyanide. These chemicals form the "tar" of cigarettes. When a smoker lights up they have a filter to help decrease the amount of "tar" they breathe into their lungs. As innocent bystanders we don't only breathe in what a smoker exhales, but also the unfiltered smoke coming off the end of a cigarette. Studies have shown that second hand or passive smoke is more dangerous than first hand smoke. Statistics show that 37,000-40,000 deaths a year are from second hand smoke. So I ask you, where is the filter for the innocent?

Many have said, "just don't go to places that allow smoking". That sounds like a reasonable option, but when a large majority of establishments offer at least a smoking section this is very difficult. Recently, I was walking my daughter into a hospital and we had to find another entrance because of individuals smoking at the main entrance. Where were her rights in that situation? We are not imposing or forcing harm on anyone by asking this state to be smoke free, we are asking to maintain our own health and those that choose to smoke do it in the privacy of their own home, vehicle, or designated area that does not impose harm on the innocent bystander. The current Surgeon General's report concludes there is no level of risk free exposure to second hand smoke.

As a registered nurse I took a pledge to do no harm, more citizens of this country need to take that pledge to do no harm to their fellow citizen, this means not forcing innocent bystanders to breathe in the toxins they are choosing to put into their lungs. We are not violating the rights of free choice of smokers, rather we are protecting the rights of the innocent. I watch my little girl, day in and day out struggle to maintain the lung function so many take for granted. If 25 states have laws that prohibit smoking in almost all public places, there is no reason Wisconsin cannot follow suit. So, on behalf of my daughter and all other non-smokers, I ask you to please help us put a filter in place for the innocent. Please pass AB 253 with NO exemptions!

Thank you,

Stephanie Timm-Brown

2816 Steamboat Spring Run  
Green Bay, WI 54313

May 5, 2009

Dear Chairman and Members of the Public Health Committee,

My name is Marty Adams. I am a Public Health Sanitarian in Brown County, Wisconsin.

I would like to voice my concerns on the health effects and costs of smoking in workplaces as well as other tobacco related issues including secondhand smoke.

My job as a sanitarian is to license, inspect and investigate complaints at bars, restaurants and hotels. I am a non-smoker and am in these facilities on a daily basis and breathing in secondhand smoke to do my job. I go home many days smelling like an ashtray. Bars and restaurants have all tried installing smoke eaters which are totally ineffective in removing secondhand smoke. The filters do not remove the particulates smaller than 1 micron in size. This is what I am breathing in along with other workers and guests of the bar/restaurant. Secondhand smoke is the cause of 800 – 1,000 deaths in Wisconsin every year. A restaurant owner recently told me she goes home with pounding headaches due to the smoke in her small diner. I suggested she ban smoking in her business and she said, "The state needs to level the playing field for all businesses." I truly believe that all workplaces should be smoke free in Wisconsin.

Bars and hotels are spending tons of money to try to clean up the effects of smoke from tobacco use. Businesses need to pay people to clean ash trays, wipe cigarette ashes off of glass storage shelving on bars, wash windows, walls and fixtures using extra detergents, sanitizers, cleaners and hot water to wash all these items. With all these extra clean up costs associated with smoking the businesses are forced to raise the cost of a drink or a meal. I have asked hundreds of people if they would stop eating or drinking if smoking is banned in bars and restaurants and not one person has said they will stop drinking alcoholic beverages or order a plate of food if a smoking ban goes into effect in bars and taverns. In addition to all these extra costs, I have inspected numerous bars and restaurants where fires, caused by smoking, had to close to their doors until the damage had been fixed. Unfortunately, not all businesses have been that fortunate. Some buildings have burnt to the ground.

In addition to our health concerns we also need to look at the cost and effects of allowing smoking in workplaces. In Wisconsin over 2 billion dollars are spent on health care costs caused by smoking. Did you know that 40% of those who are on Medicaid smoke? Yet only 19.6% of the state's adult population smoke. The CDC estimates Wisconsin saves \$1,623.00 in Medicaid and other health care costs per year for each smoker who quits. A bartender shared his story with me of how he had open heart surgery at age 45 and that cost the insurance company \$110,000.00 in medical and workers comp costs. Why not encourage people to quit smoking and create a clean and safe environment for workers to work in while reducing high insurance costs.

There are so many negative issues associated with tobacco use ranging from effects of secondhand smoke to the rising costs of insurances and costs to maintain a clean business to the dangers of potential and hazardous fires that can occur. We all deserve to have clean air to breathe and be safe in our workplaces and places of entertainment. Please pass SB 181 / AB 253 no exemptions. All Wisconsin citizens deserve to breathe clean air!

Sincerely,



Marty Adams  
1848 Mill Rd  
Greenleaf WI 54126



May 5, 2009

Dear Chairman and Members of the Health Committee,

My name is Kris Kovacic and I reside in the city of Green Bay. Today I come to speak to you about passing AB 253.

I have a 7 year old son who was diagnosed with asthma 2 years ago. He has daily breathing treatments twice daily to keep his asthma under control. This past winter he was hospitalized the day after a visit to a local bowling alley. On his day off of school he attended a local YMCA school age child care program. Their field trip for the day was to go bowling at a local bowling alley. While the group was there, there was no smoking allowed on the bowling lanes; however smoking was allowed in the attached bar. That night, we noticed him coughing a bit more and there was a hint of wheezing. In the middle of the night my son awoke gasping for air and asked for a breathing treatment... how many 7 year old kids ask for medicine? A trip to the emergency room at 2:00 am where rescue medication was administered to open his airway so he could breathe. Just so he could breathe. One of the questions I was asked upon admission was if he lived in a house with a smoker. My response was a quick no followed with, BUT, he was at a bowling alley for a field trip yesterday. Being exposed to that secondhand smoke was enough to irritate his lungs and affect his breathing.

You have heard tavern owners and others talk about rights and having a choice. My son had no choice. The only choice would have been for me to take a day of vacation to keep him home and explain to him why he has to miss the field trip at the YMCA. Try explaining that to a 1<sup>st</sup> grader who loves bowling and doesn't want to be the kid missing out on the fun. WHERE IS MY SON'S RIGHT TO BREATHE CLEAN AIR?

Another instance we encountered was this fall at a preseason Green Bay Packer game. Walking through the smoke-filled concourse with a young asthmatic child was not as easy as it might sound. My son knows as soon as he smells cigarette smoke that he needs to cover his nose and mouth. It got to the point that he was asking when he could take his hand off of his face because of all the people smoking in the concourse. **Again, where was his right?** That night we didn't end up in the emergency room; however we did need to use rescue medication in addition to his daily medication due to coughing and wheezing.

On behalf of the children who might not have the choice or voice to be heard, please pass AB 253 with no exemptions! All Wisconsin residents deserve the opportunity to breathe smoke-free air!

In Good Health,

*Kris Kovacic*

3120 W Ottertail Ct  
Green Bay, WI 54311

May 6, 2009

Dear Assembly Committee on Health and Healthcare Reform,

My name is Barbara Moser. I am a family practice physician, and a mother of three teenagers. I live in Whitefish Bay, Wisconsin, and I practice medicine at the University of Wisconsin-Milwaukee's student health center.

**A smoke free air law is very important to me because breathing secondhand smoke in restaurants and bars adversely affects my patients, UWM students, on a daily basis.**

I recently saw Mary in my office. Mary is a 20 year old woman who came to me complaining of "poor health in the lungs." For the past 4 months, she has been sick with respiratory tract infections and increased asthma symptoms. When she walked into the room, she smelled strongly of cigarette smoke, and I thought, well, she smokes, so I'm not surprised she has poor lung health.

Was I wrong! It turns out, instead, that she works 20 hours a week at a local popular bar that allows smoking. Mary was diagnosed with asthma 2 years ago, and since working in the bar with all of the smoke, she feels short of breath a lot of the time, and has frequent lung infections. When I saw her in the office, she was sick again, coughing and wheezing.

I asked Mary, "Why don't you change jobs?" The answer was, "I just can't."

Like many UWM students, Mary is self-supporting, and is putting herself through school. The money she makes in this bar is great, and she really likes the owner, who gives her the flexible hours she needs to be able to get to her classes. Mary is also afraid that in the current economy, she will never be able to find another job that pays as well. Mary has had to choose between her health and her economic situation. Food and rent and school tuition come before coughing and wheezing.

***No one should have to choose between a job and breathing clean air.***

**A smoke free air law is also very important to me because secondhand smoke is a huge public health threat to all citizens of Wisconsin, including myself, my husband, my kids, and my friends.**

Secondhand smoke is known to cause lung cancer, heart disease, worsening asthma, and increased respiratory tract infections.

I'm sure some of you have loved ones with known coronary artery disease, I know I do.  
***Tell them to avoid secondhand smoke.***

I totally avoid restaurants and bars that permit smoking, because I know the health risks of secondhand smoke.

***You might consider doing the same.***

The fact is that even spending minutes in a smoke-filled room causes our platelets to become stickier, with an increased chance of forming a clot in a coronary artery. If a person already has a partially clogged coronary artery, he or she is at that much more risk from the secondhand smoke causing a completely clogged artery and a heart attack.

**Everyone deserves the right to breathe smoke free air.**

Thank you for your dedication to the citizens of Wisconsin.

Respectfully,

Barbara Moser, MD

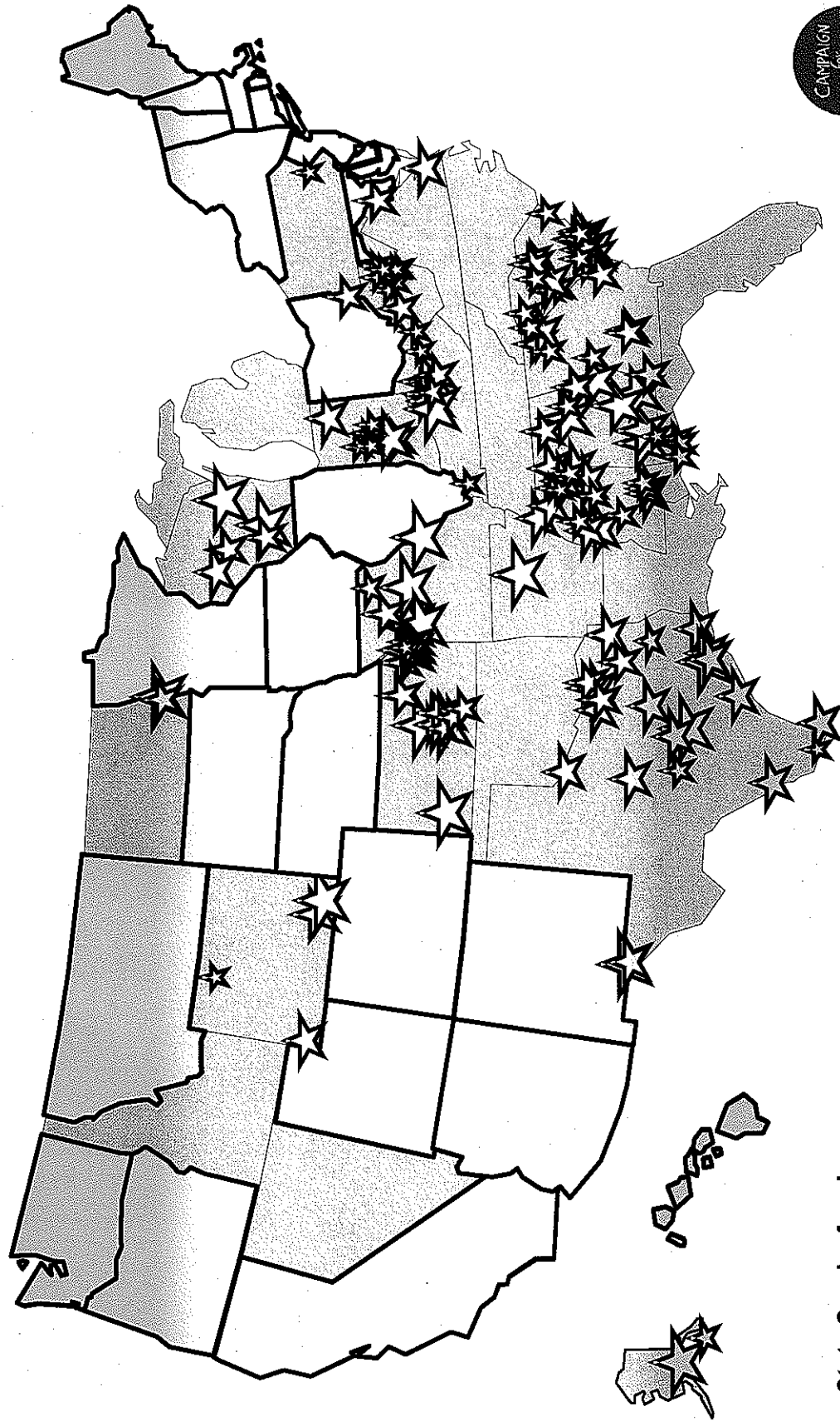
Work:



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# Smoke-Free Restaurant and Bar Laws



-  State Smoke-free Laws Including Restaurants & Bars
-  Local Smoke-free Laws Including Restaurants & Bars

- NE law effective 6/1/09, SD law effective 7/1/09
- MT law extends to bars 10/1/09.



March 2009



State of Wisconsin  
Department of Health Services

Jim Doyle, Governor  
Karen E. Timberlake, Secretary

**Testimony of Secretary Karen E. Timberlake, Department of Health Services**  
**AB 253**  
**Assembly Committee on Health and Healthcare Reform**  
**May 6, 2009**

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Representative Richards and members of the Committee on Health and Healthcare Reform, thank you for providing me the opportunity to speak on this important public health issue.

Secondhand smoke is a serious public health problem. As the Surgeon General of the United States reported in a 2006 Report, there is no safe level of exposure to secondhand smoke. It's a serious health hazard that causes premature death and disease in non-smoking adults. Eliminating secondhand smoke from the places we work, eat, and shop is just as important to our health as ensuring our food, water, and public facilities are safe.

Smoke-free laws combat the effects of secondhand smoke and dramatically improve the health of both the employees and patrons they protect. A recent CDC study found that heart attack hospitalizations in Pueblo, Colorado decreased 41% just three years after the passage of their smoke-free ordinance.

We've already seen health benefits here in Wisconsin. Just one year after the Madison and Appleton smoke-free ordinances went into effect, non-smoking bartenders saw a significant decrease in the prevalence of eight upper respiratory symptoms (Source: UW Paul P. Carbone Comprehensive Cancer Center Study).

This issue affects all Wisconsin citizens, both young and old. Children are particularly sensitive to secondhand smoke. It can cause acute lower respiratory infections such as bronchitis and pneumonia in infants and young children.

Tobacco takes a terrible toll on our state's health. It's our leading cause of preventable death, and over 8,000 of our residents die each year from tobacco-related illness (Source: 2006 Burden of Tobacco in WI). Secondhand smoke accounts for more than 800 annual deaths in Wisconsin. That means secondhand smoke kills more people in Wisconsin each year than motor vehicle accidents.

In addition to saving lives, we have the opportunity to dramatically lower our state's health care costs. Wisconsin spends over \$2 billion each year in health care costs for illnesses directly caused by smoking, including nearly \$500 million in Medicaid costs. When you add in the additional \$1.7 billion the state loses annually in lost worker productivity due to smoking related illness, it is clear that Wisconsin simply can not afford to continue this way in these tough economic times.

May 6, 2009  
Page 2

Smoke-free workplace laws not only encourage adults to quit smoking, but also encourage young people not to start smoking.

A 1999 study in *Tobacco Control* found that requiring all workplaces to be smoke-free would decrease smoking prevalence by 10%. A separate 2001 study in the same publication reported that employees in workplaces with smoking bans have higher rates of smoking cessation than employees where smoking is permitted.

A 2000 study in the *Journal of the American Medical Association* reported that "The results from [these] national surveys [on youth smoking] strongly suggest that smoke-free workplaces and homes are associated with significantly lower rates of adolescent smoking."

Over two-thirds of Wisconsin residents support smoke-free workplaces, and 38 Wisconsin communities have passed local smoke-free air ordinances, 11 of which include all workplaces.

The time is now for Wisconsin to join the list of 25 U.S. states, as well as Washington D.C. and Puerto Rico in providing our citizens with protection from secondhand smoke through a comprehensive smoke-free workplace law that covers all restaurants and taverns.

Every Wisconsin resident has the right to breathe clean air. I urge you to honor that right and the health of all Wisconsinites by making our state smoke-free by supporting AB 253.

Thank you.

Dear Legislators,

One could easily consider this the first day of the rest of several citizens' lives. The clean air bill that you are discussing has just that impact - to save lives, protect the health and well being of all citizens, and save health care dollars.

You also have the opportunity to send a message that as this critical issue is voted upon by the Assembly and Senate you will not allow the power of the purse to cause delay or be encumbered by political gamesmanship.

On April 20<sup>th</sup> in Eau Claire, and several other times across this state, the issue of returning our political system to emulate what was once considered the epitome of clean government was discussed by members of Common Cause, Wisconsin Democracy Campaign, media, and local legislators. All agreed that issues must be debated upon merit and citizens wishes - and not influenced unduly by those special interests groups that use money and fear to do just that.

You have all heard the overwhelming evidence as to the merits of moving forward as our neighboring states have done, several Wisconsin cities, and of course entire countries. You know that the vast majority of our citizens wish to have this done - to provide for a smoke free atmosphere for all.

And most importantly, you have heard testimony from those of us who have lost loved ones to the ravishing effects of tobacco use. I am one who lost a father to a massive heart attack at age 56 - then became the caretaker for the next several years of a mother who became a widow just when she needed her husband the most.

Her best friend in her last few years, as many others will tell you, was her constant companion - her bottle of oxygen. She too was a long term suffer of her earlier smoking addiction. Not only was her care a financial burden to our family - and of course the loss of a father and grandfather difficult for us - much of her costs were also borne by other taxpayers.

I also am one who has lived many years in rural areas of Wisconsin where people are very limited as to where the jobs are and where they can go for socializing - whether with family or friends. When people say, just go find another place to work or enjoy time with your friends - there are few, if any, choices. A statewide smoke free air bill is even more critical for those citizens and their families.

So again, you have a wonderful opportunity to act upon a bill that truly will be a positive in the long run for everyone. And to do so in a way that keeps the bill simple and straightforward rather than add delay or adding hoops and hurdles to satisfy a very few.

Educators will tell you that they consider the following as they teach young people - "children are messages we send to the future" - what kind of message will you be sending to those youngsters with your vote?

SINCERELY,  
*Steve Anderson*

May 6, 2009

Dear Chairmen and Members of the Assembly Health Committee,

My name is Deborah Bruning and I live in the city of Mondovi, a community of about 2,600 residents located just south of Eau Claire. I am writing to ask you to support the statewide smoke-free air bill AB253 without exemptions and without delayed implementation.

Every person has a heart and lungs and tobacco's destruction does not 'exempt' some people. My message, sadly, isn't unusual or unique. Tobacco and secondhand smoke has affected me and my family. My grandmother developed emphysema from secondhand smoke and suffered for many years before her death in 1998. My father had by-pass surgery and was told by his cardiologist to stay away from smoke. He shouldn't have to put his health at risk or avoid his favorite supper club which has a smoke-free dining room but allows smoking in the bar (smoke floats into the dining room.) I too have had a number of lung-related health problems and can no longer tolerate tobacco smoke.

We like to support local businesses but are unable to frequent many of the local restaurants and taverns in my community because of the smoky environment. I am especially concerned for my neighbors and friends in the hospitality business who are exposed for long hours day-in and day-out and for children who are in taverns with their parents for a family dinner. This happens often in our rural part of the state – taverns are community and family gathering places because they serve some of the best food. In Wisconsin children are allowed in taverns with their parents and continuing to allow their exposure to the toxins is just wrong.

Please make it healthy and fair for all Wisconsin citizens to be able to patronize any business that serves the public and all employees to work in smoke-free places no matter their line of work. No one is exempt from the harms of secondhand smoke and no one should have to wait any longer to breathe clean air. Thank you.

Respectfully,



Deborah Bruning  
1111 Cloverleaf Lane  
Mondovi, WI 54755

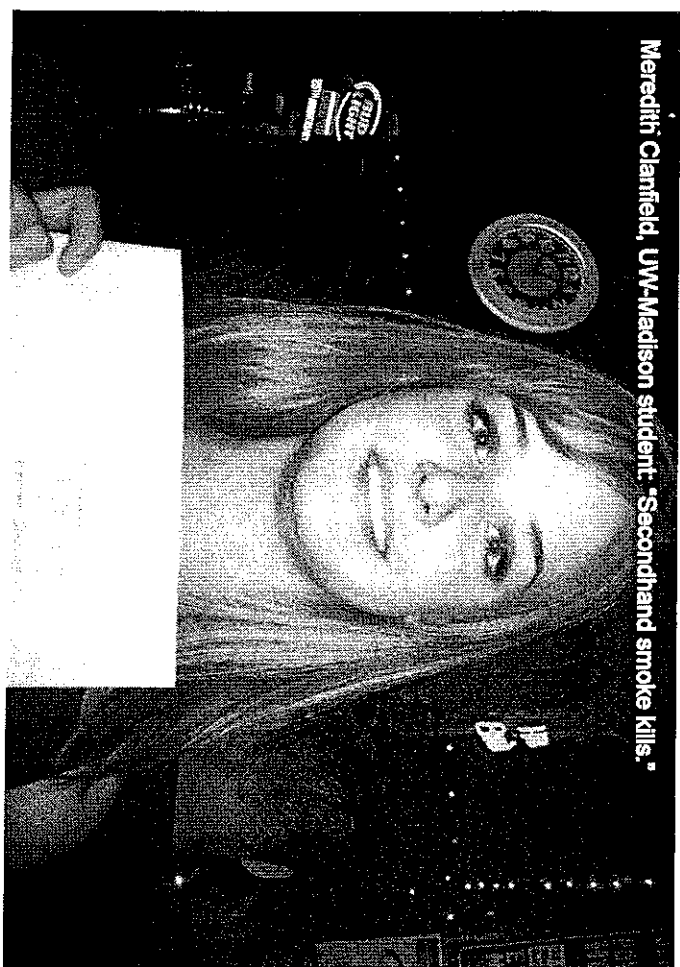




Representing five campuses across Wisconsin, the 18-24 Year-Old Project includes hundreds of college-aged students who support smoke-free air. Over the past month, students at active campuses have visited local bars and taverns and found widespread support for smoke-free legislation. They have collected hundreds of signatures, photographs, and testimony. Included today you will find testimony and photographs collected at local bars by UW Madison students. Later this week you will receive more testimony in the form of a DVD, with photographs and testimonials from youth (and bar-goers contacted by youth) across the state. Thousands of young people and bar-goers statewide are **Holding Their Breath For Smoke Air**.



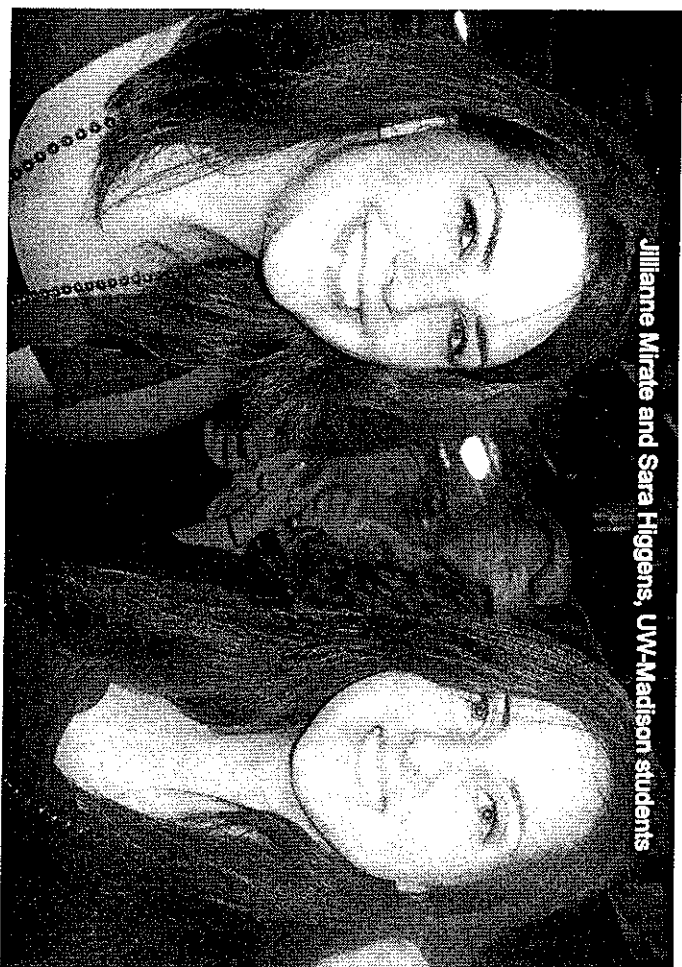
Matthew Garzer and Chad Reinbrandt, UW-Madison students  
"Smoking is bad for you!"



Meredith Clamfield, UW-Madison student: "Secondhand smoke kills."

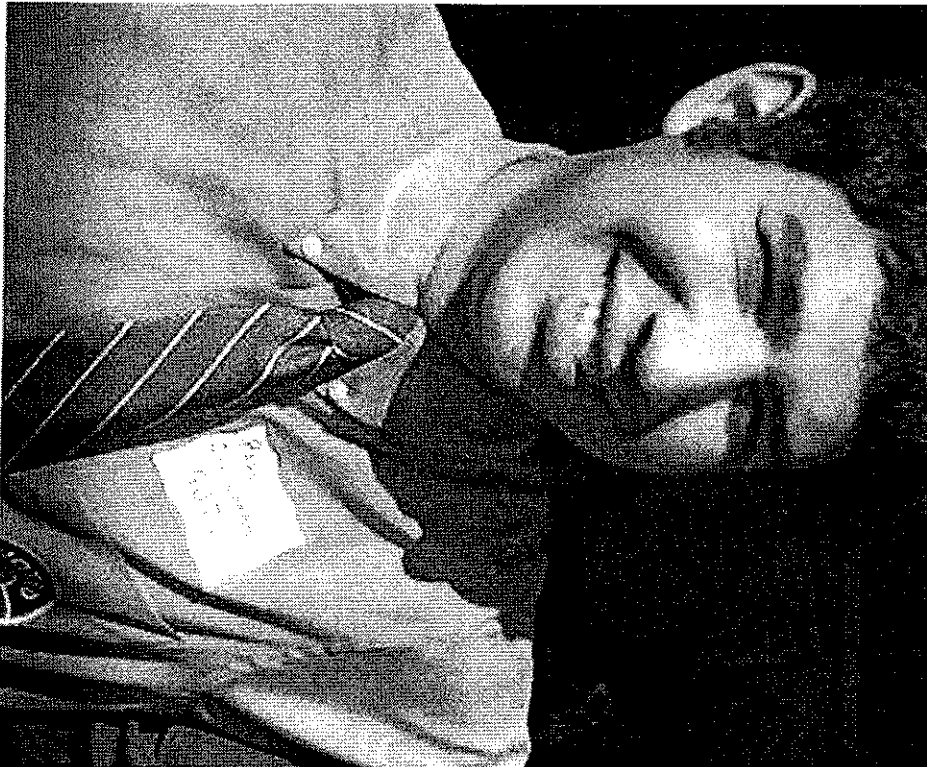


Emily Riebe and Lavilla Capener, UW-Madison students



Jillianne Mirate and Sara Higgens, UW-Madison students

**Paul Axel, UW-Madison student: "Everyone deserves to breathe oxygen, not carcinogens. Plus, smokers don't observe the 25 feet limit near buildings on campus anyway. This'll show them."**

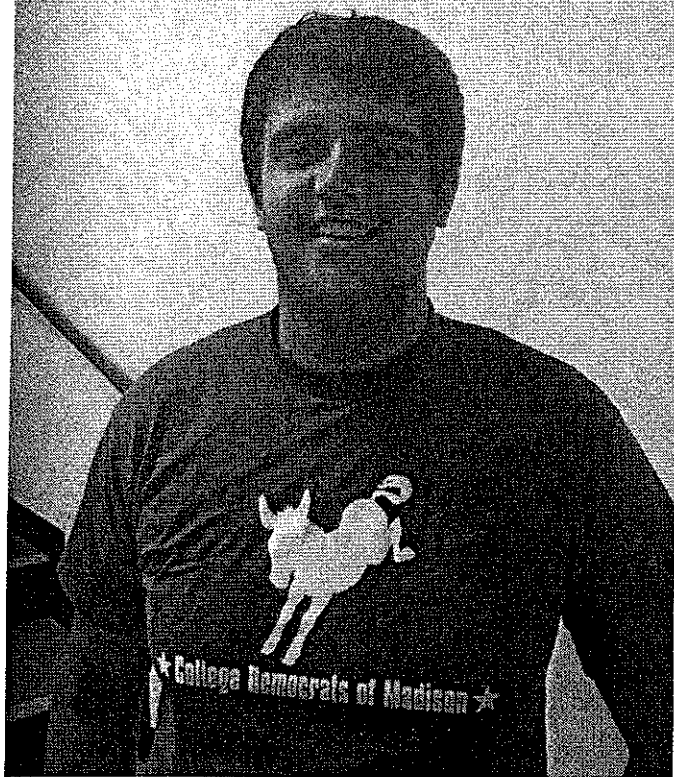


**Rebecca Dobrez, UW-Madison student: "I care about my lungs and my children's lungs!"**

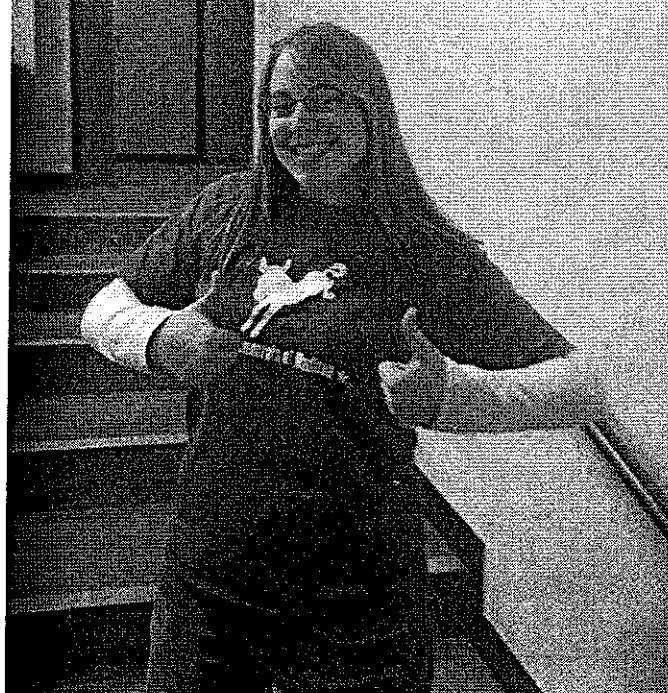




Shaun Hundle, UW-Madison student:  
"I want to breathe clean air as an asthmatic."



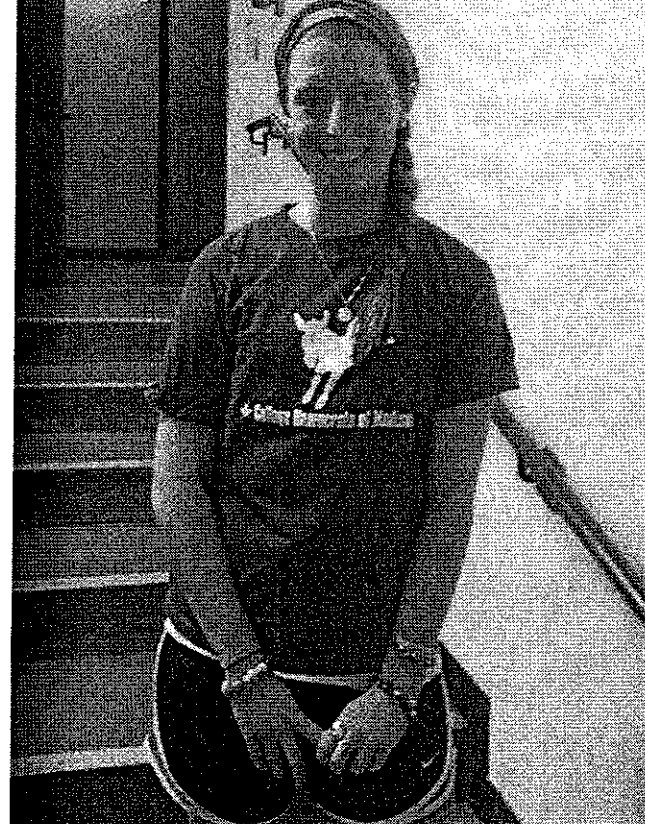
Maggie Bahrmassel, UW-Madison student:  
"Everyone deserves clean air."



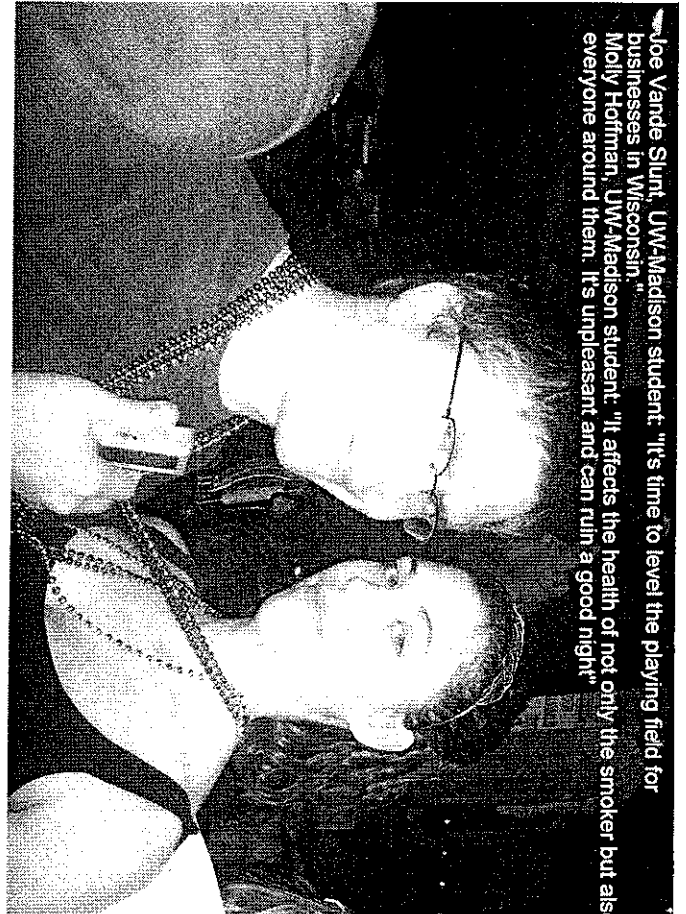
Jaci Kent, UW-Madison student:  
"Everyone should have a smoke-free workplace."



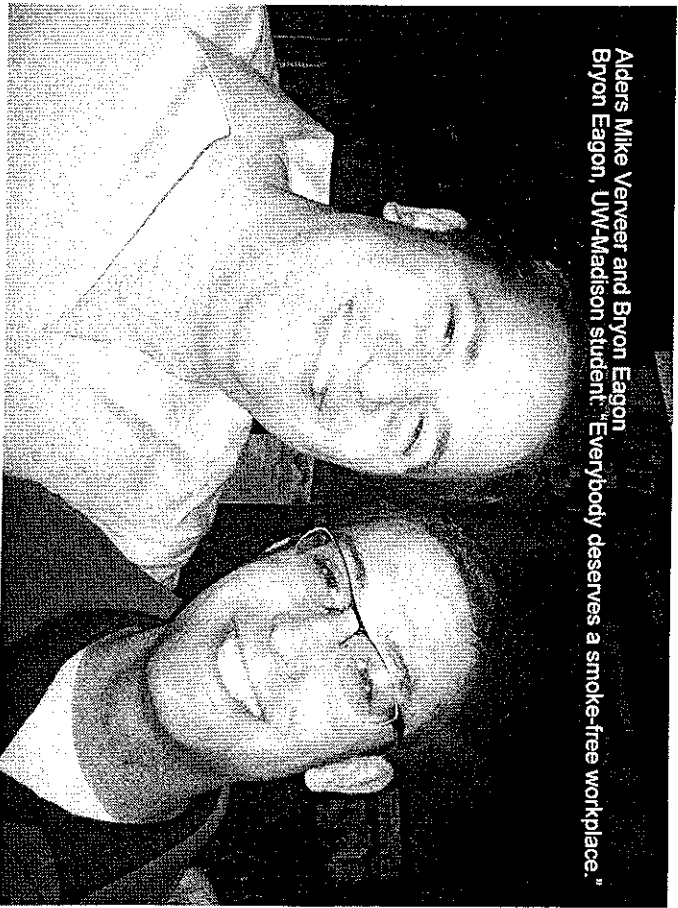
Molly Layde, UW-Madison student:  
"No employee should be exposed to carcinogens at work."



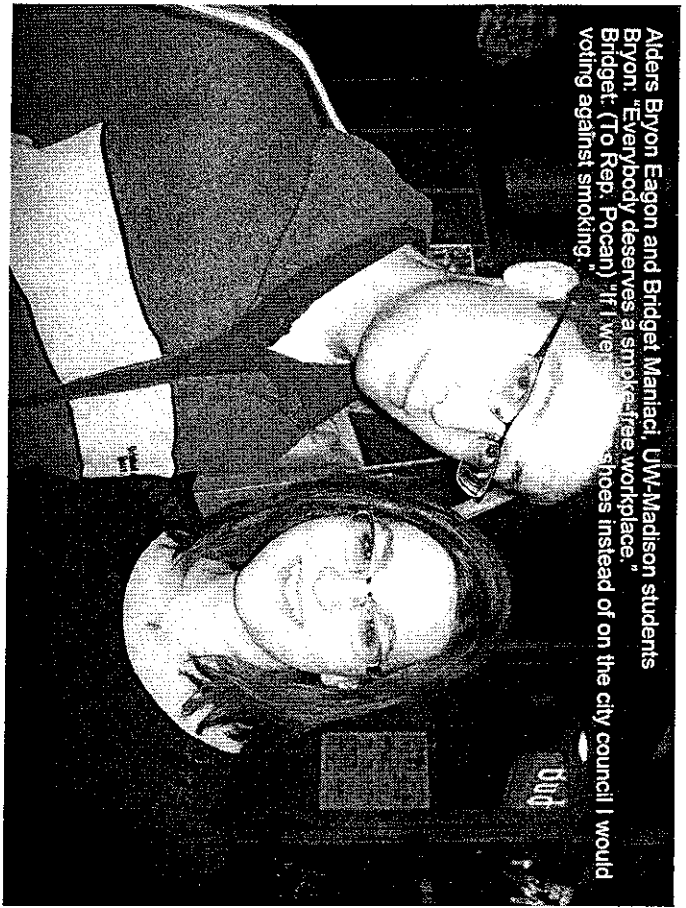
Joe Varde Slunt, UW-Madison student. "It's time to level the playing field for businesses in Wisconsin." Molly Hoffman, UW-Madison student. "It affects the health of not only the smoker but also everyone around them. It's unpleasant and can ruin a good night"



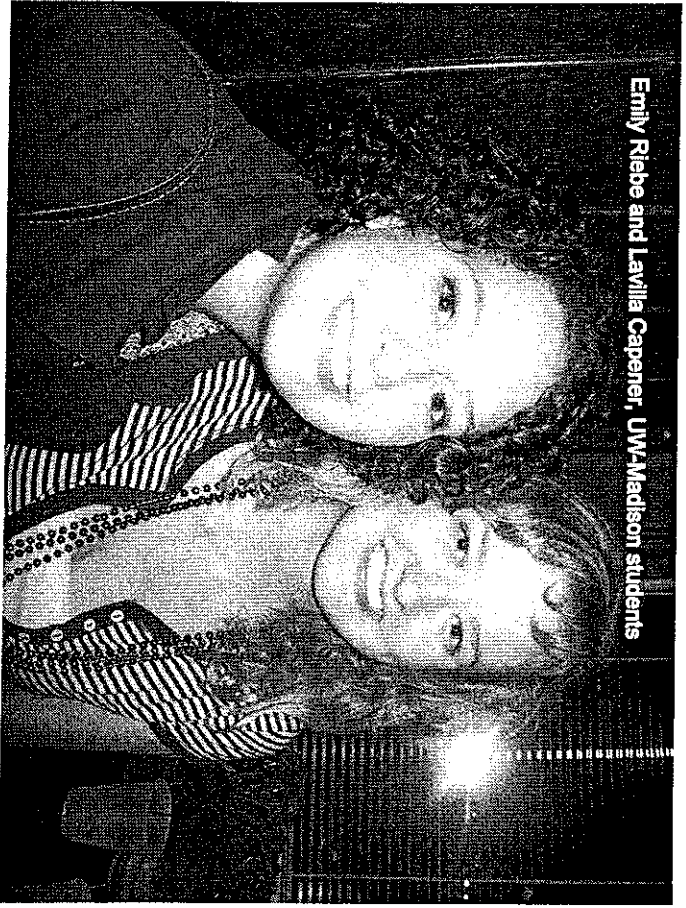
Alders Mike Venner and Bryon Eagon Bryon Eagon, UW-Madison student. "Everybody deserves a smoke-free workplace."



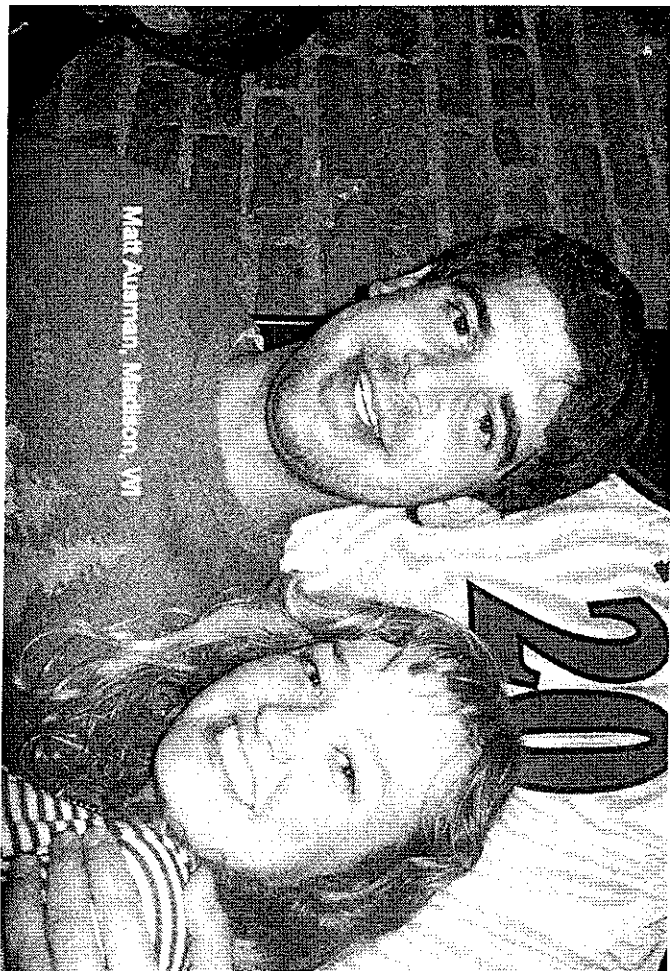
Alders Bryon Eagon and Bridget Maniaci, UW-Madison students Bryon. "Everybody deserves a smoke-free workplace." Bridget. (To Rep. Pocan) "If I wear shoes instead of on the city council I would voting against smoking."



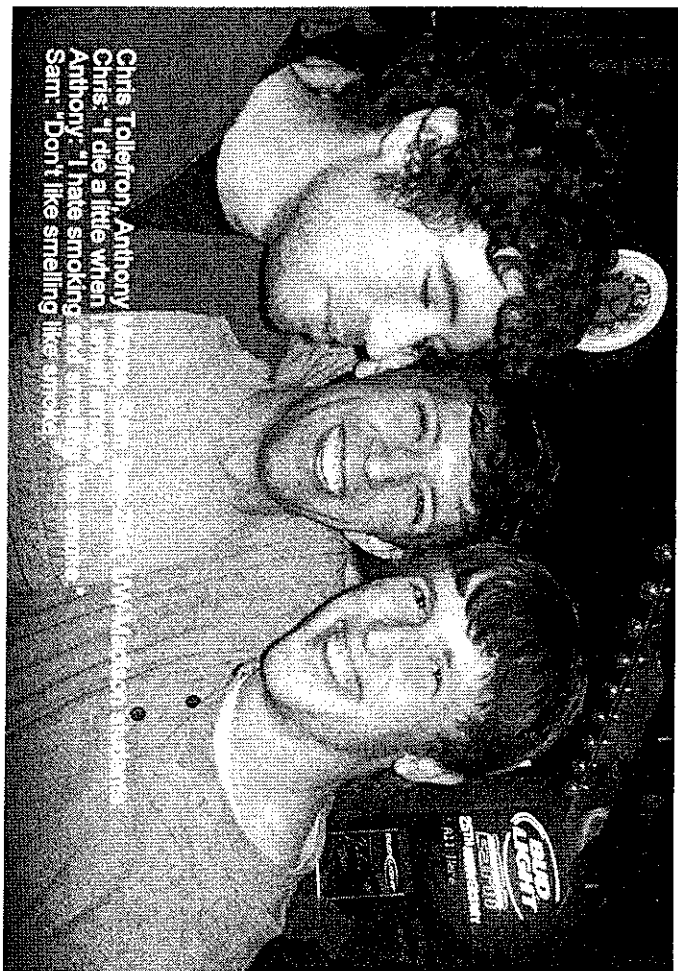
Emily Riebe and Lavilla Capeper, UW-Madison students



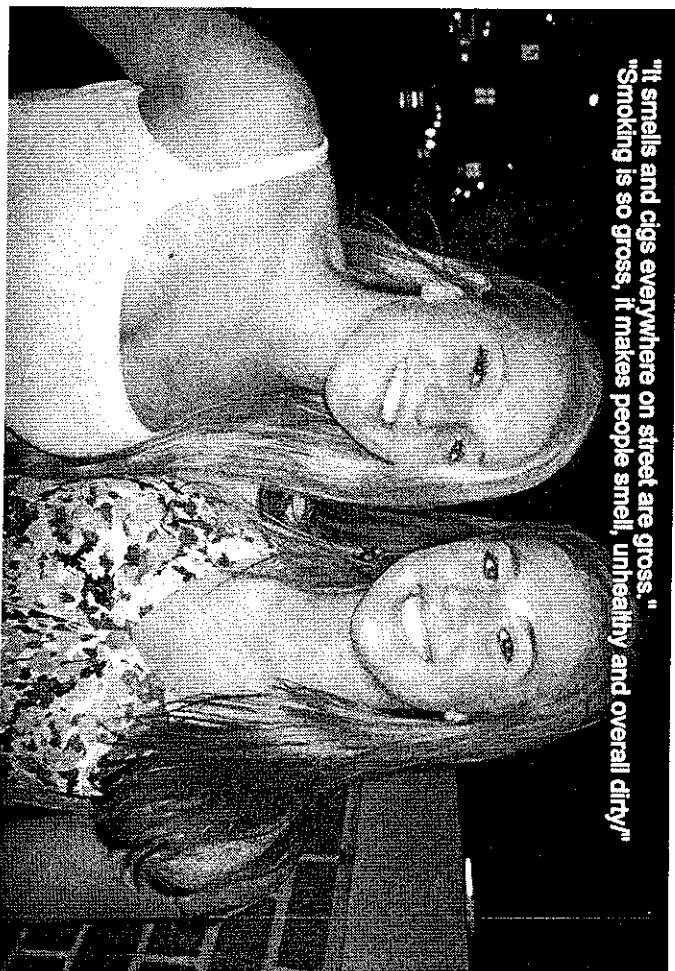




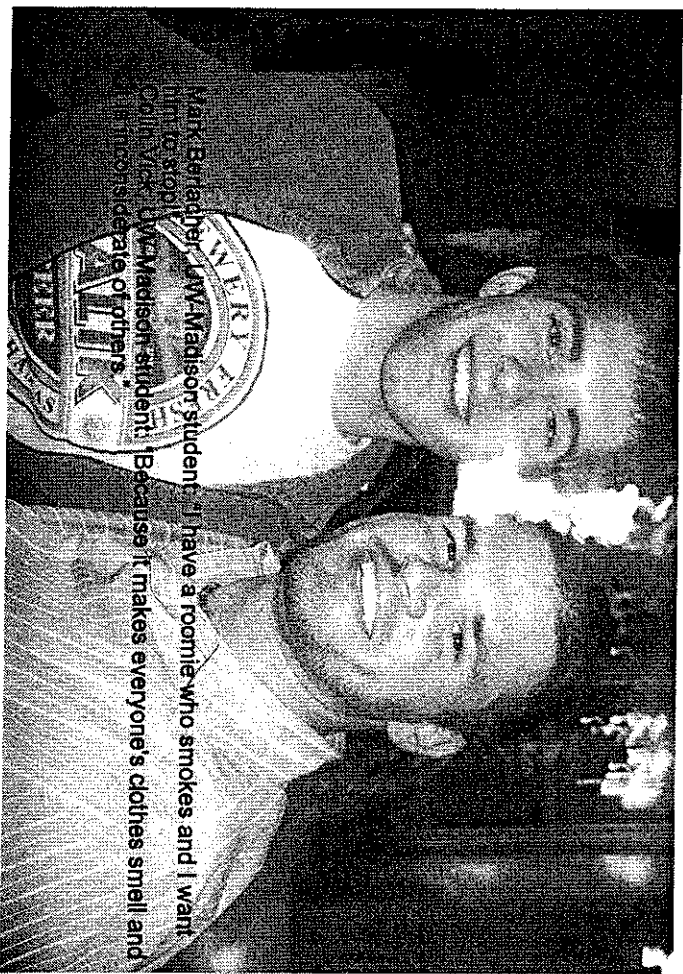
Matt Ausman, Madison, WI



Chris Tollefson, Anthony, Madison, WI  
Chris: "I do a little when I need to sleep."  
Anthony: "I hate smoking and I don't like the smell."  
Sam: "Don't like smelling like smoke."

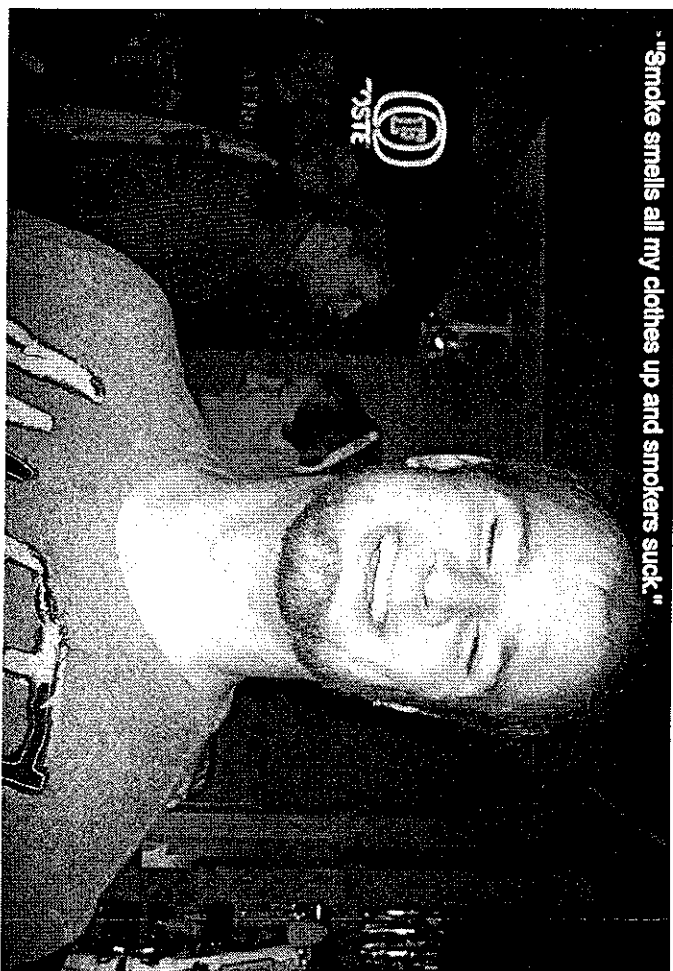


"It smells and cigs everywhere on street are gross."  
"Smoking is so gross, it makes people smell, unhealthy and overall dirty!"

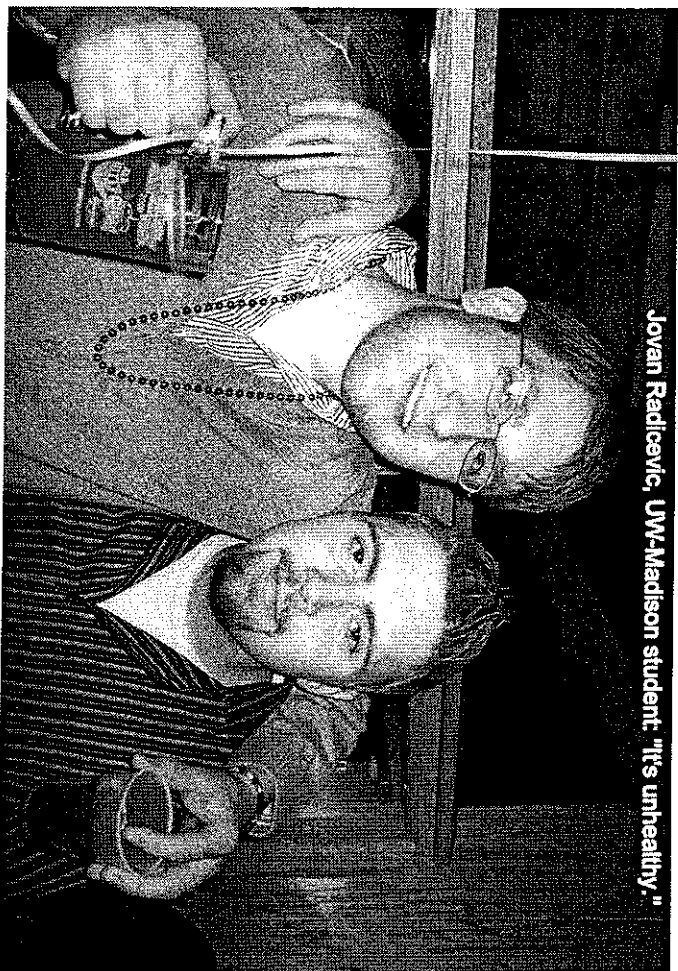


Mark Berthier, UW-Madison student "I have a roomie who smokes and I want him to stop."  
Colin Vix, UW-Madison student "Because it makes everyone's clothes smell and it makes people smell like smoke."

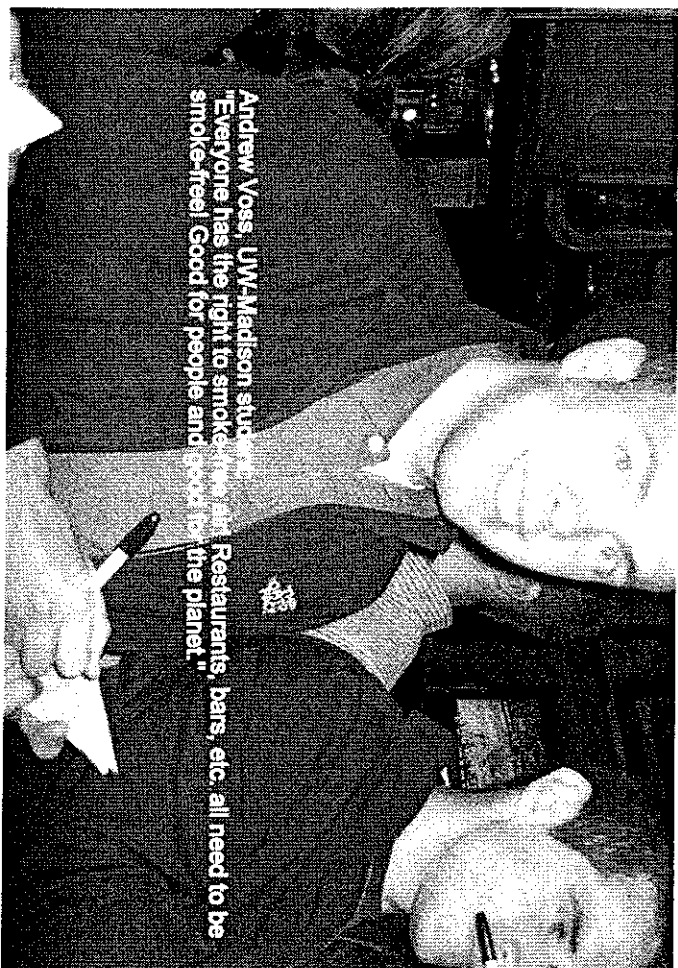
"Smoke smells all my clothes up and smokers suck."



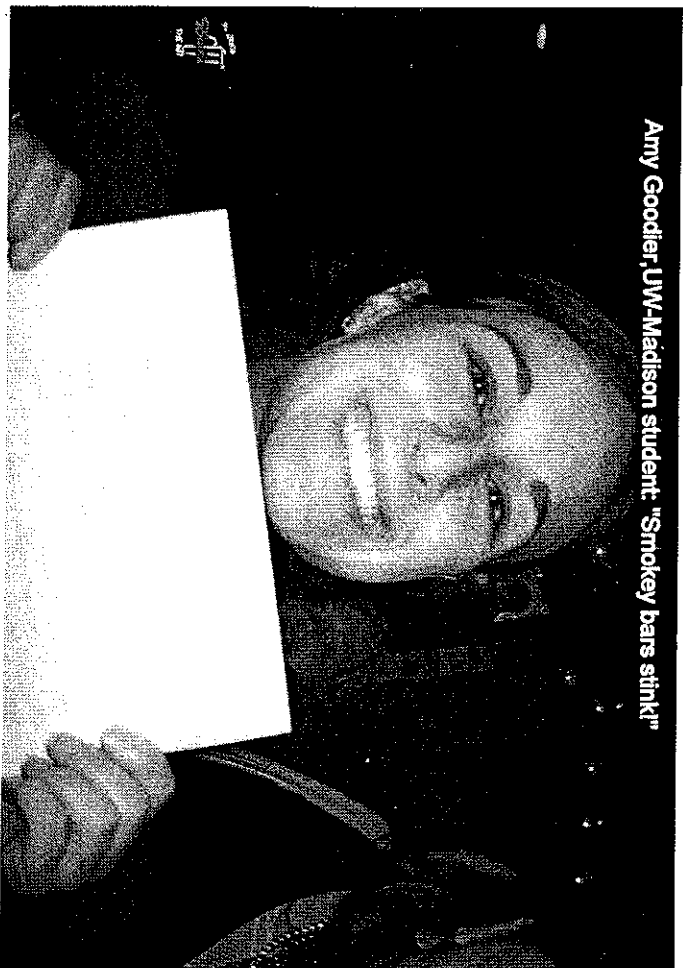
Jovan Radicevic, UW-Madison student: "It's unhealthy."



Andrew Voss, UW-Madison student:  
"Everyone has the right to smoke-free air. Restaurants, bars, etc. all need to be smoke-free! Good for people and good for the planet."



Amy Goodier, UW-Madison student: "Smokey bars stink!"



**TESTIMONY ON THE SCIENTIFIC EVIDENCE ON THE HEALTH EFFECTS OF  
SECONDHAND SMOKE**

**TERRY PECHACEK, PhD  
ASSOCIATE DIRECTOR FOR SCIENCE  
OFFICE ON SMOKING AND HEALTH  
NATIONAL CENTER FOR CHRONIC DISEASE PREVENTION  
COORDINATING CENTER FOR HEALTH PROMOTION  
AND HEALTH PROMOTION  
U.S. CENTERS FOR DISEASE CONTROL AND PREVENTION**

**HEARING OF THE WISCONSIN SENATE COMMITTEE ON HEALTH, HEALTH  
INSURANCE, PRIVACY, PROPERTY TAX RELIEF, AND REVENUE  
MADISON, WI  
MAY 5, 2009**

**AND**

**HEARING OF THE WISCONSIN ASSEMBLY COMMITTEE ON HEALTH AND  
HEALTHCARE REFORM  
MADISON, WI  
MAY 6, 2009**



Thank you for the opportunity to discuss the health impact of exposure to secondhand smoke. I am Dr. Terry Pechacek with the Office on Smoking and Health, Centers for Disease Control and Prevention (CDC) in Atlanta, Georgia. I am an author of the original and updated versions of the CDC guidance document *Best Practices for Comprehensive Tobacco Control Programs* and have been involved in the writing or scientific review of all U.S. Surgeon General's Reports on the health consequences of tobacco use since 1979, including the 2006 Surgeon General's Report, *The Health Consequences of Involuntary Exposure to Tobacco Smoke*. In addition, I have provided senior technical advice on the planning, implementation, and evaluation of comprehensive tobacco control programs in Arkansas, Oklahoma, Kentucky, Iowa, Georgia, North Carolina, Virginia, Mississippi, Indiana, Tennessee, Ohio, Texas, Arizona, New Jersey, Pennsylvania, Washington, Vermont, West Virginia, Minnesota, Florida, Maine, Massachusetts, Oregon, and California.

For the record, I am submitting written testimony at the request of Vicki Stauffer of the Wisconsin Tobacco Prevention and Control Program to discuss the scientific evidence regarding the health risks that secondhand smoke exposure poses to nonsmokers. Also for the record, my testimony is not for or against any specific legislative proposal.

The 2006 Surgeon General's Report on *The Health Consequences of Involuntary Exposure to Tobacco Smoke* was only the second Surgeon General's Report to focus on the health effects of secondhand smoke, and the first to do so in 20 years. The Report systematically reviewed the scientific evidence that has accumulated since the 1986 Surgeon General's Report on *The Health Consequences of Involuntary Smoking* using established criteria of causality. The 2006 Report concludes that secondhand smoke contains more than 50 cancer-causing substances. The National Toxicology Program of the National Institutes of Health, the International Agency for Research on Cancer, and the U.S. Environmental Protection Agency have all designated secondhand smoke as a known human carcinogen, and the National Institute for Occupational Safety and Health has designated secondhand smoke as an occupational carcinogen. Importantly, the 2006 Surgeon General's Report concludes that there is no risk-free level of secondhand smoke exposure.

The Report provides a comprehensive review of the health effects of secondhand smoke. The Report concludes that secondhand smoke causes premature death and disease in children and nonsmoking adults. The Report finds that children who are exposed to secondhand smoke are at an increased risk for sudden infant death syndrome (SIDS), acute respiratory infections such as pneumonia and bronchitis, middle ear disease, more severe asthma, respiratory symptoms, and slowed lung growth. The Report also concludes that secondhand smoke causes heart disease and lung cancer in nonsmoking adults. Specifically, nonsmokers who are exposed to secondhand smoke in the home or workplace increase their risk of developing heart disease by 25 to 30 percent and their risk of developing lung cancer by 20 to 30 percent. In 2005 the California Environmental Protection Agency estimated that exposure to secondhand smoke causes an estimated 46,000 heart disease deaths and an estimated 3,400 lung cancer deaths among U.S. nonsmokers each year.<sup>1</sup> The Report finds that secondhand smoke has immediate adverse effects on the cardiovascular system. Persons who have or are at special risk for heart disease should

take special precautions to avoid secondhand smoke exposure.

The Report also examines trends in secondhand smoke exposure. Exposure among U.S. nonsmokers has declined sharply over the past 20 years. Levels of cotinine, a biological marker of secondhand smoke exposure, fell by 70 percent from 1988-91 to 2001-02. The proportion of nonsmokers with detectable cotinine levels has been halved from 88 percent to 43 percent over that period.

However, more than 126 million nonsmoking Americans, including both children and adults, are still exposed to secondhand smoke. The Report concludes that the home and the workplace are the main settings where nonsmokers are exposed to secondhand smoke. Children and teens, African Americans, and blue collar, service, and hospitality workers remain disproportionately exposed. Restaurant, bar, and casino workers are especially likely to work in environments where smoking is allowed and to be exposed to high levels of secondhand smoke on the job.

Finally, the Report also addresses approaches to protecting nonsmokers from secondhand smoke exposure. **The Report concludes that eliminating smoking in indoor spaces is the only way to fully protect nonsmokers from secondhand smoke exposure, and that smoke-free workplace policies are the only effective way to ensure that secondhand smoke exposure does not occur in the workplace. The Report finds that other approaches are not effective and that separating smokers from nonsmokers, cleaning the air, and ventilating buildings cannot eliminate secondhand smoke exposure.**

Smoke-free policies in hospitality venues such as restaurants, bars, and casinos protect employees and patrons alike from the unnecessary health risks posed by exposure to secondhand smoke. Several studies, including those conducted in Delaware<sup>2</sup> and New York<sup>3</sup>, have found that smoke-free policies in hospitality venues are associated with improvements in indoor air quality, reductions in nonsmoking employees' secondhand smoke exposure, and improvements in employees' sensory and respiratory symptoms and respiratory function. These improvements occur rapidly once smoke-free policies are implemented, typically within months of the effective date.

Comprehensive smoke-free laws that make all indoor workplaces and public places smoke-free also appear to have broader effects on secondhand smoke exposure and health on a population level. A study in New York state found that cotinine levels among nonsmokers in the general population fell by 47 percent in the year following implementation of a comprehensive statewide smoke-free law. **Eleven published studies conducted in a number of different communities, states, regions, and countries have reported that implementation of smoke-free laws is associated with rapid and substantial reductions in hospital heart attack admissions in the general population.** A recent study from Pueblo, Colorado that appeared in CDC's Morbidity and Mortality Report found that these reductions were sustained over a three-year period.<sup>4</sup> Some evidence suggests that the observed decreases in heart attack hospitalizations may be more pronounced among nonsmokers than among smokers.<sup>5</sup>

In addition to protecting nonsmokers from secondhand smoke exposure, the Report finds that smoke-free workplace policies help employees who smoke quit. This, in turn, would be expected to save employers money by reducing health care and disability costs, by increasing productivity among their staff through a decreased number of breaks taken and sick days used, and by reducing workers' compensation, life insurance, and maintenance costs. Smoke-free policies in public places and workplaces also promote health by contributing to changes in community norms regarding smoking and by setting a positive example for youth.

**The 2006 Surgeon General's Report also concludes, based on the findings of peer-reviewed studies that have examined objective economic indicators such as employment levels and taxable sales revenues for restaurants and bars, that smoke-free policies, laws, and regulations do not have an adverse economic impact on the hospitality industry.** In February 2004, CDC published a study from El Paso, Texas, which examined data on sales tax and mixed-beverage tax revenues for twelve years prior to and one year after the implementation of a comprehensive smoke-free law in that city. No significant changes in restaurant and bar revenues were observed after the law took effect<sup>6</sup>. These findings are consistent with those from other communities and states that have implemented smoke-free laws. For example, New York City governmental agencies reported that business tax receipts for the city's restaurants and bars increased by nearly 9 percent in the year following implementation of a comprehensive municipal smoke-free law. The agencies also reported that employment in the city's restaurants and bars increased after the law took effect.<sup>7</sup>

The Surgeon General has concluded that involuntary exposure to secondhand smoke is a common public health hazard that is entirely preventable by appropriate regulatory policies. Both the Surgeon General and the U.S. Task Force on Community Preventive Services have concluded that the most effective strategy to reduce nonsmokers' exposure to secondhand smoke is the establishment of smoke-free environments. Our nation's *Healthy People 2010* objectives seek to assure optimal protection of nonsmokers from secondhand smoke exposure through policies, regulations, and laws requiring smoke-free environments in all worksites and public places.

As of 2007, 73.7 percent of Wisconsin residents were protected by smoke-free policies at work and 75.7 percent of Wisconsin households were protected by smoke-free rules at home.<sup>8</sup> The Wisconsin figures indicate that a substantial portion of the state's population continues to be exposed to secondhand smoke at work and at home, which are the two most important settings where exposure occurs.

In summary, the findings of the Surgeon General's report along with many other studies, demonstrate that exposure to secondhand smoke poses serious health risks. Exposure to this health hazard is widespread. Hospitality workers are more likely than workers in other occupations to be exposed to secondhand smoke and its associated health risks on the job. And, unlike many other health hazards, secondhand smoke exposure is completely preventable.

Thank you.

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<sup>1</sup> California Environmental Protection Agency. *Proposed Identification of Environmental Tobacco Smoke as a Toxic Air Contaminant. Part B: Health Effects*. Sacramento (CA): California Environmental Protection Agency, Office of Environmental Health Hazard Assessment, 2005

<sup>2</sup> Repace J. Respirable particles and carcinogens in the air of Delaware hospitality venues before and after a smoking ban. *Journal of Occupational and Environmental Medicine* 2004;46(9):887-905

<sup>3</sup> CDC. Indoor air quality in hospitality venues before and after implementation of a clean indoor air law – Western New York, 2003. *Morbidity and Mortality Weekly Report* 2004; 53(50):1175-8

<sup>4</sup> CDC. Reduced Hospitalizations for Acute Myocardial Infarction After Implementation of a Smoke-Free Ordinance --- City of Pueblo, Colorado, 2002—2006. *Morbidity and Mortality Weekly Report*. 2009; 57(51&52):1373-1377

<sup>5</sup> Pell JP, Haw S, Cobbe S, et al. Smoke-free legislation and hospitalizations for acute coronary syndrome. *N Engl J Med* 2008;359:482--91

<sup>6</sup> CDC. Impact of a smoking ban on restaurant and bar revenues – El Paso, Texas, 2002. *Morbidity and Mortality Weekly Report* 2004; 53(44):1038-41

<sup>7</sup> Hyland A, Cummings KM, Nauenberg E. Analysis of taxable sales receipts: was New York City's Smoke-Free Air Act bad for business? *Journal of Public Health Management and Practice*. 1999; 5(1):14-21

<sup>8</sup> Tobacco Use Supplement to the Current Population Survey, available at: <http://riskfactor.cancer.gov/studies/tus-cps>



WISCONSIN PUBLIC HEALTH ASSOCIATION

WISCONSIN ASSOCIATION OF LOCAL  
HEALTH DEPARTMENTS & BOARDS



**TO:** Chairman Richards and members of the Assembly Health and Healthcare Reform Committee

**FROM:** Eric Ostermann, WPHA & WALHDAB Executive Director

**DATE:** May 6, 2009

**RE:** Please support Assembly Bill 253 – *the Statewide Smoke-Free Legislation*

The Wisconsin Public Health Association and the Wisconsin Association of Local Health Departments and Boards would respectfully request your **support for Assembly Bill 253**, the statewide smoke-free legislation.

As you know, this important legislation would require indoor public locations and workplaces to be smoke-free and, in the process, improve the public health of Wisconsin and protect the right of citizens to breathe clean air. Just as your constituents expect to have clean drinking water and a safe food supply, they also expect to breathe clean air – whether they are at work or out to eat with their families.

The science on secondhand smoke is patently clear. Decades of medical research have confirmed secondhand smoke is a proven human health hazard that causes premature death and disease in non-smokers. The Environmental Protection Agency has classified secondhand smoke as a carcinogen known to cause cancer in humans. It also significantly increases the risk of life-threatening heart disease among non-smokers and fosters the development of asthma in children.

WALHDAB and WPHA strongly believe Wisconsin citizens deserve protection from secondhand smoke. More importantly, over two-thirds of Wisconsin voters (69%) support a statewide smoke-free law. Twenty-five states, as well as Washington D.C. and Puerto Rico have already enacted comprehensive smoke-free workplace laws. It's time for Wisconsin to provide those same protections for our citizens.

More than twenty years of scientific research illustrating the dangers of secondhand smoke cannot be ignored. Wisconsin citizens deserve the right to *Breathe Free* and work in a smoke-free environment. Once again, the Wisconsin Public Health Association and the Wisconsin Association of Local Health Departments and Boards would urge you to support AB 253.

If you have any questions, please do not hesitate to contact our government affairs consultants, Michael Welsh or Ryan Natzke, at (608) 310-8833.

*Together, WPHA and WALHDAB represent over 1,100 members statewide, from state and local public health officials to public health professionals in academia and the private sector. We are dedicated to promoting and protecting public health in Wisconsin, which is vital to a healthy population, lower health care costs and a thriving economy.*

May 5, 2009

Dear Chairman and members of the Health Committee,

My name is Erin Tisch and I work as a Public Health Nurse for Brown County.

I make home visits to families as a Maternal-Child Health nurse. I would like to comment on the need for Smoke-Free workplaces.

Many of the clients I see are low-income and have limited job opportunities. As bartenders and waitresses they are often exposed to second-hand smoke and have little control over this exposure.

How can we protect people against other harmful elements such as asbestos but ignore the second-hand smoke harmful effects? These are often single parents who are solely responsible for their children's well-being only to return home after work smelling like an ashtray. What message are the children hearing?

Working in this type of environment also encourages otherwise non-smokers to light up and participate in this activity especially as they are bartending. This just promotes the addiction factor that has become such a burden to our state financially and medically.

Please be clear in your fight to make Smoke-Free workplaces the law – no exceptions or exemptions and pass AB 253.

Sincerely,

A handwritten signature in cursive script that reads "Erin R. Tisch".

4734 Maple Drive  
Green Bay, WI 54313

**Marilyn Townsend**  
ATTORNEY AT LAW

Admitted to practice in  
WI, D.C., MD, GA

122 WEST WASHINGTON AVENUE  
MADISON, WISCONSIN 53703

Phone (608) 255-5111  
Fax (608) 255-3358

[www.mtownlaw.com](http://www.mtownlaw.com)

**Support of State-wide Smoking Ban in Wisconsin**  
**May 6, 2009**

My name is Marilyn Townsend. I am an attorney in Madison, Wisconsin, and a local elected official. I support a law that would institute a state wide smoking ban in Wisconsin.

For more than ten years, I have served as a Trustee for the Village of Shorewood-Hills. In the early 1990s, our community passed one of the first no smoking ordinances in the state.

Smoking is clearly a public health issue. Both of my parents died prematurely from smoke related illnesses. Their final years were spent, (at great expense to taxpayers) on oxygen at the Veterans' Home in King, Wisconsin.

I am acutely aware that taverns and other businesses have voiced their complaints that a state wide smoking ban will not apply to the tribal casinos. I share their distress. I urge lawmakers to impress upon the tribal casinos the importance of being good neighbors. I think we should ask the Wisconsin casinos to ban smoking, as currently occurs at the Illinois casinos. In the event the Wisconsin casinos refuse to do so willingly, I believe we should pursue all political and legal leverage to ban smoking at Wisconsin tribal casinos.

May 5, 2009

Dear Chairman and Members of the Health Committee,

My name is Beth Longley and I am a resident of Green Bay.

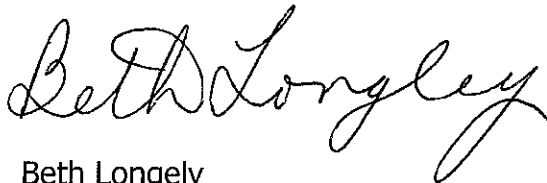
I am here today to honor the memories of my parents, Carl and Marlyn. They both died in the past two years of smoking related diseases, lung and colon cancer. I look back now and remember how slowly and awful their health deteriorated. It was so hard to visit them even in the end because of the second-hand smoke. They were both so addicted to tobacco that they didn't stop smoking until they ended up in the hospital.

After they both died, it was my family's job to take care of their affairs. One of those jobs was to clean their house of the remaining personal belongings and put the house up for sale. The amount of time and effort that it took to wash the walls, floors and the cupboards was very overwhelming. My parents had smoked in that house for several decades and nobody realized how damaged the house had become from the second-hand smoke. The smell when you entered the house is something that I will never forget. It had a distinct awful smell. We did have to throw out many things that just couldn't be used because of the smell. Keepsakes and belongings, thrown away because of the damage from the second-hand smoke. This was very sad and traumatic because I only have their memories. I don't have anything to pass down to their grandchildren or great-grandchildren.

Knowing what my parent's house looked like after years of smoking in it, I can only imagine what the walls and floors are like in bars and restaurants look like. A smoke-free Wisconsin will reduce youth from starting to use tobacco and a smoke-free Wisconsin will allow for everyone to be a part of a healthier community. Hopefully the next generation won't have to face tobacco related diseases. Hopefully there will be clean air wherever they work, eat and hang out. That is why it is important for you to make Wisconsin smoke-free – NO EXEMPTIONS, please pass AB 253!

Thank you for your time.

Sincerely,

A handwritten signature in cursive script that reads "Beth Longley". The signature is written in dark ink and is positioned above the typed name and address.

Beth Longley  
1515 Eastman Avenue  
Green Bay, WI 54302  
920-432-8460



**To the Committee on Health, and Healthcare Reform:**

My name is Sandy Bernier and I live at 831 Minnesota Ave North Fond du Lac. Thank you to all the members of the committee for the opportunity to speak to you today in support of SB 181.

This Sunday is Mother's Day, the last time I had an opportunity to spend a Mother's Day with my mother was 25 years ago, May 1984, just three months before she was diagnosed with pancreatic cancer due to a lifetime addiction of smoking at least two packs of cigarettes a day,

Beatrice McCabe was her maiden name, she was a strong-willed, independent, self determined woman who ran her own restaurant for years, worked as a nurses aid for a time, had the voice of an angel which came in handy on long road trips. We all preferred her Amazing Grace to any song on the radio. She died a painful death where no amount of morphine could ease the pain. I was only 26-years-old when she left me, wondering how would I remember her face, her scent, her soft skin, her hands that held me from birth through all the ups and downs of a life that was meant to be shared with a woman who would face any hardship to protect and care for her children.

In 1996, my brother Jeff, a heavy smoker, never woke when his alarm went off for an early job interview; he had a massive heart attack. Jeff also worked in the bar/restaurant business for years.

In 2003, my oldest brother, David, was an entertainer. He grew up in the restaurant business, worked in the bar business and was a heavy smoker. He actually ran a bar here for a while in Madison. I wasn't 21 at the time, so I never was able to visit the bar here, but he loved Madison, the people, the atmosphere. David later moved to Naples and worked year round as a musician. The last time I saw David, was just before he died, he was sitting in a wheel chair smoking a cigarette. He also died of pancreatic cancer.

They are gone, but I am here today. I am their voice; I have to find their words to say to you. Their words would not be 'it's an adult choice, a right, or a freedom'; those were and are the words of an industry that has put profits before the health of an entire nation. David told me before he died, "someone has to do something about this killer." Their words would be to support SB 181, today. Stepping outside saves lives, supports people who want to quit smoking, and ends substantial human suffering.

Sandy Bernier



American Cancer Society Volunteer

May 5, 2009

Dear Members of the Wisconsin Legislature:

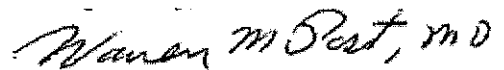
I am writing you as the Chairperson of the Fond du Lac County Board of Health Committee and as a pediatrician who is concerned with the health of our state's youth. I am writing to elicit your support of currently proposed All Workplace No Smoking Bills being introduced into both houses of the State Legislature (and reflecting language in the current budget proposal). The proposed bills should be passed without significant amendments and without delay in initiation of enactment.

Tobacco use is the single greatest cause of preventable death and disease in our society; and secondhand smoke is the third. The type of bill being proposed has proven benefit in multiple communities, states and countries with immediate and sustained reduction in the rate of heart attacks by 25-35%. Respiratory health and multiple cancers will also be reduced, although the degree of benefit is not as readily quantified. Youth living in communities where smoking does not occur in dining places have a significantly lower rate of smoking initiation. The State pays dearly through Medicaid and through reduced productivity of our workers when smoking takes place in the workplace.

The Tavern League has a passion against such legislation, fearing financial ruin of their industry if such legislation is enacted and enforced. In no jurisdiction where such legislation has been enacted have these fears proven to be justified. Madison and Appleton are communities where such legislation has been enacted. Tax records do not support the concept of harm to the hospitality industry.

Please do the right thing and support this legislation without significant amendment or delay in initiation of enforcement. It is the right thing for the health of our population and it is the right thing for fiscal responsibility of our state government. Two thirds of the populace support this action.

Respectfully,

A handwritten signature in cursive script that reads "Warren M Post, MD".

Warren M. Post, M.D.  
420 East Division Street  
Fond du Lac, WI 54935

# WISCONSIN HOSPITAL ASSOCIATION, INC.

May 6, 2009



**To:** Members of the Assembly Health and Healthcare Reform Committee

**From:** Eric Borgerding – WHA  
Paul Merline – WHA

**Re:** Support for Assembly Bill 253, relating to a Statewide Smoking Ban

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**The Wisconsin Hospital Association (WHA) supports a strong, statewide smoke-free law.**

Tobacco use and secondhand smoke are serious health risks, directly linked to cancer, heart disease, stroke and respiratory illnesses. The damage caused by tobacco goes beyond the devastating effect it has on the health of those that use it and those around them. The cost to employers in rising health premiums, combined with the hundreds of millions of dollars spent treating chronic illness caused by tobacco use – including in the state's Medicaid program – unduly burden an already strained health care system. Efforts to eliminate this entirely preventable serious health risk and reduce a major health care cost driver for Wisconsin families and their employers deserve your support.

WHA has long supported tobacco-free efforts. In 2004, WHA partnered with the University of Wisconsin Center for Tobacco Research and Intervention (UW-CTRI) to ensure that hospitals had proper protocols to help patients quit smoking. Upon admission, hospitals screen patients for tobacco use and offer cessation counseling. Hospitals are also able to link patients directly to the state's Tobacco Quit Line (1-800-QUIT-NOW) for follow up and ongoing services after patients leave their facilities.

WHA's *CheckPoint* program, which publicly reports information related to hospital quality and safety efforts, [www.WICheckPoint.org](http://www.WICheckPoint.org), includes measures related to hospitals' tobacco intervention efforts. Most hospitals intervene with every patient, but specific CheckPoint measurements for smoking cessation counseling are included for heart-attack, heart failure, and pneumonia patients.

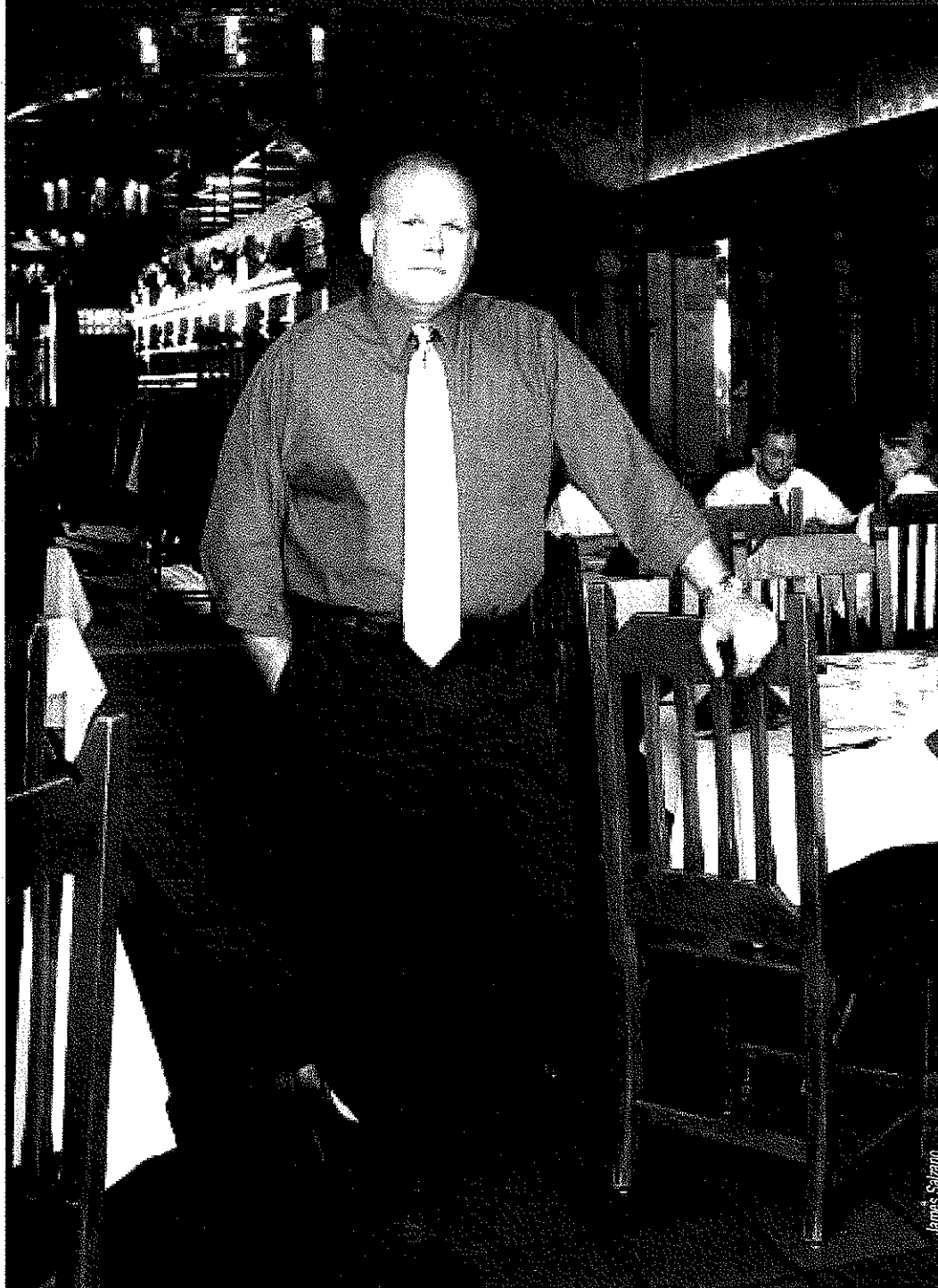
In 2006, the WHA Board recommended that all hospitals go tobacco-free throughout their campuses. Through diligent effort, hospital leadership and staff made the recommendation a reality. Now, 100% of Wisconsin's acute care hospitals are tobacco-free campus wide. WHA was recognized earlier this year by UW-CTRI for its role in this effort.

In many ways the role of the hospital is being redefined and undergoing a general evolution to include preventative care with the acute care episode. Hospitals continue to focus on improving the overall health status of the communities they serve. The move to tobacco-free campuses by all of Wisconsin's acute care hospitals is a natural progression in this effort as is our support for a strong, statewide smoke-free law.

We urge your support for reducing the unnecessary health risks and costs associated with tobacco use.

**"You never saw anybody  
fight a smokefree measure  
as hard as I did. But you  
know what? I was wrong."**

**CHRISTOPHER WISOCKI | OWNER  
The Pickwick, Duluth, Minnesota**



"The Pickwick is a classic and you don't change a classic," says Chris Wisocki. "It's been in the family for ninety years. So when the restaurant association told me that a local smokefree measure would endanger my business, I immediately got up in arms."

"I was sure our dining and bar trade would go to smoking places just over the line in Wisconsin — and I'd lose all that my dad and my uncle worked so hard for."

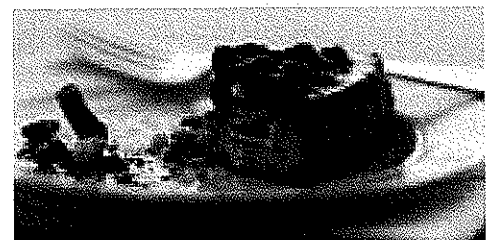
"There got to be so much conflict and confusion over Duluth's first ordinance, though, I finally said the heck with it and went 100% smokefree after all. Why bother building walls? Installing extra ventilation?"

They don't make any real difference. And it's only a matter of time before we're all smokefree anyway.

"Later, when a clearer, stronger smokefree measure was put to the voters, it won big. No surprise to me. The Pickwick's atmosphere had definitely changed for the better. Our business, too. It's up 15 percent."

"Did I have a knee-jerk reaction to smokefree measures? Ask anybody. Do I admit I was wrong? You bet."

Get the facts at [TobaccoScam.ucsf.edu](http://TobaccoScam.ucsf.edu)



**TOBACCO** Big  
**Scam** Tobacco  
is lying.  
Again.

TobaccoScam is a project of Stanton Glantz, PhD, of the University of California School of Medicine, San Francisco, CA 94143-1390. Supported by the Robert Wood Johnson Foundation.

May 5, 2009

Dear Assembly Health and Healthcare Reform Committee,

I'm writing to ask you to pass AB 253 without any amendments or delays. Medical literature has well established second-hand smoke as a human health hazard. When the lives and health of hard-working Wisconsinites is at stake, there shouldn't be any debating, or compromising, or currying favor from the Tavern League. We need to get the problem, second-hand smoke that is, taken care of. It clearly needs to be eliminated from all public airspaces and all indoor workplaces.

The legislature should have gotten this done last year. While our state dithered about in indecision, our neighbors Illinois, Iowa, and Minnesota got this done already. Our state is rapidly becoming an embarrassment due to its lack of decisive legislative leadership.

I ask that you discard any ideas of extending the implementation date for this bill. Lots of communities in WI have passed and implemented smoke-free ordinances within six month time frames. This business of giving businesses time to adjust to the new law is nothing more than hogwash. Pass it, implement it, and be done with it.

And forget about exemptions and exceptions. The cleaner and less confusing the bill is, the better. The health of workers and patrons in taverns, cigar bars, and tobacco shops is no less valuable than anyone else's. And health is (or should be) the entire reason we are discussing this.

I ask you to also disregard any amendments to the bill that would change the setback restrictions, outdoor restrictions, fines, or any changes that would pre-empt municipalities from passing stronger laws.

This debate has gone on too long. You were elected to act. Get this done already.

Sincerely,

Scott Davis  
617 S. LaFayette St.  
Shawano, WI 54166

# Shawano Community High School

Todd R. Stiede  
Principal

Scott Zwirschitz  
Associate Principal

Jill Sharp  
Associate Principal  
At-Risk Coordinator

Tim Mayer  
Associate Principal  
Activities Director

May 5, 2009

To Whom it May Concern,

We, the undersigned members of the Shawano Community High School SADD Club, Support the passage of AB 253. We believe that citizens of Wisconsin have the right to breathe clean air in restaurants, bars, and other public places. As teenagers, it is frustrating to go out and breathe adults' second-hand smoke. Please consider our opinions + needs.

*Carrie Thomas*  
*Crystal Mraz*  
*Kaylyn Wiese*  
*Molly McBride*  
*Olivia Jube*  
*Catherine Skerodice*  
Sincerely, *Brianna Fossun*



May 5, 2009

Dear Wisconsin Assembly Health & Healthcare Reform Committee:

My name is Susan Hansen. I live in Gillett, Wisconsin.

Due to job constraints, I am not able to attend to address the committee. But I wanted you to know my feelings about the issues being addressed today.

**State wide smoke-free air legislation:** *As a healthcare worker, I see everyday families that have to work in a smoking environment to supplement their income. They are ill with a mired of sicknesses due to their work environment. And by the way—their sickness is then a cost on the state Medicaid program which cost me the taxpayer more to pay for. I don't want to pay for such health issues that could have been prevented. Also I AM A CANCER SURVIVOR!! My re-occurrence of cancers is put in jeopardy because of being subjected to second hand smoke.*

**Please count my voice in thousands of other State of Wisconsin residents —Please vote in favor of AB253 —PROTECT THE LIVES OF YOUR CONSTITUANTS AND OUR LIVELY HOOD OF ALL WHO CHOOSE TO LIVE IN OUR GREAT STATE of Wisconsin!**

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan Hansen", written in dark ink.

Susan Hansen

5629 County Rd V

Gillett, WI 54124

May 5, 2009

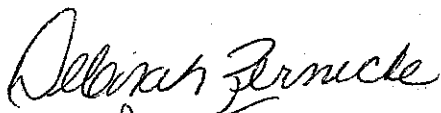
Dear Assembly Health and Healthcare Reform Committee,

Please pass AB 253 without any amendments or delays. I've been waiting impatiently for our state to go smoke-free while our neighbors all around us, Illinois, Minnesota, and Iowa, have taken the initiative and already gotten this done.

In the past I've heard people say that if someone who works in a smoking-allowed establishment doesn't like to breathe smoke that they should find someplace else to work. Yet, the same thing isn't said about other occupational health hazards. Everyone has the right to work in a safe environment, reasonably free from occupational hazards to health and life. Sure smoking is legal, but there are lots of legal activities that carry reasonable restrictions on where you can practice them: drinking alcohol, having sex, shooting firearms, and outbursts of profanity. With rights come responsibilities. Nicotine-addicted adults have the right to practice their addiction; you, as the Legislature, have the responsibility to make sure that non-tobacco users aren't harmed from the practice of that addiction.

And please don't stall and delay the implementation of AB 253. I've heard legislators say in the past that businesses need a year or two to get ready to go smoke free. Actually, all they need is a few weeks to put up a no-smoking sign and throw out the ashtrays. Get this passed as written, and let's get this done.

Sincerely,



Deborah Zernicke  
404 N. Madison St.  
Bonduel, WI 54107



May 5, 2009

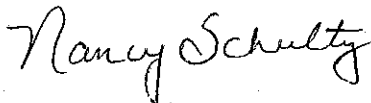
Dear Assembly Health and Healthcare Reform Committee,

As a mother of two school age children, I wanted to let you know I support the AB 253 bill for all public places to be smoke-free statewide.

I know too many people that have been exposed to second hand smoke and have developed lung cancer. I feel that non-smokers should be able to go out and enjoy themselves without having to be exposed to smoking. It is really sad when you go into a restaurant and can't even enjoy your meal, because someone next to you is smoking. I am a restaurant owner in the Wausau area and our restaurant went smoke free several years ago. Guess what, we didn't lose business we gained business.

I feel that for the health and well being of all individuals in WI that all public places should be smoke free. Please support the bill to make WI a smoke free state in all public places. As a parent of school age children, I encourage you to vote yes and support AB 253!!!

Sincerely,



Nancy Schultz  
N5834 Leopolis Road  
Shawano, WI 54166

May 5, 2009

Dear Assembly Health and Healthcare Reform Committee,

I am writing in support of AB 253, the statewide ban on smoking in public places. I am well aware of the danger of second hand smoke, and I feel this ban is long overdue.

Recently we visited a city in Minnesota, and chose to have supper at a local sports bar. Due to Minnesota's state wide smoking ban, we did not have to wonder if the air would be blue with smoke. We were greeted with clean, clear air. Everyone in the group of 8 adults is a non-smoker, so we would have gone elsewhere if the establishment had not been smoke free.

The dangers of second hand smoke have been proven, so I feel it is time that smokers do their smoking outside. Passing the statewide ban would make all things equal among business owners which is the fairest, healthiest way to do it. If it works in Minnesota, surely it would work in Wisconsin!

Please put the health of Wisconsin citizens first as you consider this bill. Support AB 253!!

Sincerely,

A handwritten signature in cursive script that reads "Winnie Preston".

Winnie Preston

W7124 St. John's Church Rd.

Clintonville, Wis. 54929

5-5-09

To: Assembly Health and Healthcare Reform Committee:

RE: AB 253

I am writing to you regarding the assembly bill that would make all public places in Wisconsin smoke free. I applaud you for your efforts but the lingering question that I have is what is taking so long. Countries, yes-entire countries have gone smoke free, our neighboring states have gone smoke free and in WI we are still allowing individuals to work in polluted, hazardous indoor air. This is not right. If you could see what we see every day, you would try to speed up the process. I personally know of a food server working in a very nice establishment, in Shawano, that is in the kitchen between orders using an inhaler. I asked her about quitting and finding a different job. Her response is that she is doing what provided the most income for her family and what she is good at and enjoys. Why should we have people working at jobs that are killing them? We all appreciate good servers when we eat out. In addition to the compelling health data, national data and data of every kind there is a new survey that was done by the St Norbert Survey Center that indicates that over 60% of the population would like smoke free public places.

This is the time. The time is now. That is why we elected you...to make Wisconsin a healthy place to live and work. Please take this responsibility seriously. We are counting on you to pass this legislation and to help make Wisconsin a healthier State.

A handwritten signature in cursive script that reads "Janet Lewellyn, RN". The signature is written in dark ink and is positioned above the printed name.

Janet Lewellyn, RN

5-5-09

To: Assembly Health and Healthcare Reform Committee

Re: AB 253

I am writing in support of the above mentioned anti-smoking bill.

I and my family have been in favor of this legislation for a long time. It has been proven that smoking and second hand smoke are detrimental to the public's health. Why should we do anything different than the states that surround us? This is not the time to reinvent the wheel! We need to pass this legislation and let Wisconsin be added to the list of non smoking states. To allow any smoking in any type of establishment would not make any sense as the reason this is being done is to protect the health of the majority of the people.

I am a public health nurse, a businessowner, a mother, a volunteer and active community member and I request passage of this bill as soon as possible!

Sincerely,

Ellen Swedberg  
N6167 Cypress Rd.  
Shawano, WI 54166

May 5, 2009

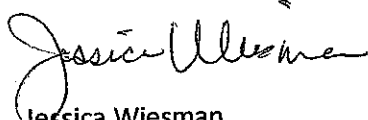
Dear Assembly Health and Healthcare Reform Committee,

I am writing in support of AB 253, without any amendments or delays. I am a mother of two young children. There are taverns and supper clubs near where I live that have great fish fries. Yet we can't go enjoy them because I don't like my children to breathe the cigarette smoke that lingers in the air. Neither can we go to our two local bowling alleys because the air quality is absolutely poisonous.

I think people who are addicted to tobacco products should be able to practice their addiction, just so long as it doesn't hurt anybody else. The best solution is to have smokers take it outside and to give the business owners of the state a level playing field by making this a statewide law. I'm very disappointed that the legislature didn't get this done last year.

The hazardous air quality created by second-hand smoke affects the health of many who don't have a voice: the disenfranchised and the young, like my children. As you cast your votes I ask you to keep their rights to a healthy work environment and clean air in mind.

Sincerely,

A handwritten signature in cursive script that reads "Jessica Wiesman". The signature is written in dark ink and is positioned above the printed name.

Jessica Wiesman  
W1331 Buss Road  
Caroline, WI 54928

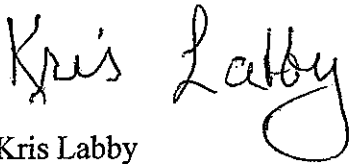
5/5/2009

To Whom It May Concern:

I am writing in support of the statewide smoking ban in Wisconsin public places, in order to decrease citizens' exposure to secondhand smoke. The detrimental health effects of such exposure have been well documented.

Ensuring a safe environment in the workplace is a basic duty expected from our government. Most improvements in the workplace come through legislation. State and local government already make policies on issues that impact private business and property owners. Through OSHA codes, Health Department licensing regulations, city ordinances, and agricultural regulations, rules are set that provide for the greater good for citizens. Owning a business means that a proprietor is required to follow laws designed to protect the health and safety of employees and patrons.

It is time to add "smoking" to Wisconsin's list of hazards that will no longer be tolerated in public places.

A handwritten signature in cursive script that reads "Kris Labby". The signature is written in dark ink and is positioned above the printed name and address.

Kris Labby  
1045 S Andrews St  
Shawano WI 54166



Serving the  
Lodging Industry  
for Over 100 Years

May 6, 2009

To: Assembly Committee on Health and Health Care Reform  
Representative Jon Richards, Chair

From: Trisha Pugal, CAE  
President, CEO

RE: **AB 253 Statewide Smoking Ban**

On behalf of the Board of Directors of the Wisconsin Innkeepers Association, representing over 950 hotels, motels, resorts, inns, and bed & breakfasts around the state, we respectfully encourage your support of AB 253 without any amendment that removes the currently stated allowance for up to 25% of private sleeping rooms in a lodging property to be smoking rooms.

The following points will support this request:

- Private sleeping rooms in lodging properties are much more similar to private residences than to interactive public rooms in facilities such as restaurants or bars
- It is not possible, nor is it legal from a privacy perspective, to monitor for smoking in private sleeping rooms, making this unenforceable.
- As sleeping rooms offer a private environment where sleeping attire is common, going outside to smoke, especially in properties with multiple levels and limited exits, is not a realistic option
- When some smoking rooms are an option, it is much less likely that a guest would smoke in a smoke-free room
- If all sleeping rooms at all properties must be smoke-free, it is likely there will be more smoking violations, which unfortunately cannot be witnessed, making it difficult to collect damages when the guest has already left the premises.
- Lodging properties would be left with: an unanticipated 800% increase in cleaning time needed to deeply clean the room, resulting in rooms not being available for the next guest, having to absorb the costs when the guest denies smoking and the charges imposed, and potential liability if the next guest promised a smoke-free room has a medical reaction to any smoke remnants missed in the rush.
- Most of the other states with statewide smoking bans provide for a similar percentage of private sleeping rooms that may be smoking rooms.
- European travelers smoke more prevalently, and are accustomed to private smoking rooms when traveling in

1025 S. Moorland Rd.  
Suite 200  
Brookfield, WI 53005  
262/782-2851  
Fax# 262/782-0550  
WIA@wisconsinlodging.info  
www.wisconsinlodging.info



the United States. With other states accommodating these travelers, this provides a deterrent to coming to Wisconsin, resulting not only in lost business for tourism, but also lost sales tax revenue.

- The 25% cap formula imposes a new restriction, and is a compromise that already will challenge roadside motels in particular, as their guests are more frequently than not smokers.

**Please retain the 25% cap on private sleeping rooms and avoid passing legislation that is unenforceable within the privacy of a lodging sleeping room.**

Cc: WIA Executive Committee  
Kathi Kilgore



Pamela A. Wilson, M.D.  
School of Medicine and Public Health  
University of Wisconsin-Madison

Ireland went smoke free in 2004. Why, when many said that a pub loving society could not do it? Ireland's laws were enacted as part of a worker's rights movement, to eliminate workers' exposure to environmental tobacco smoke. France also eliminated smoking in their restaurants and bars in January 2008 after first making other work areas smoke-free. Whole nations have gone smoke free. Why can't Wisconsin? Smoke free laws are already enacted and working well in the United States.

Some opponents of smoke-free environments frame the argument as one of personal choice. But the public needs to be protected when personal choice is destructive to others. In 2006, 8,615 drivers were killed nationwide in alcohol related accidents. Compare this with the staggering 400,000 deaths each year directly caused by tobacco use, and the 38,000 innocent bystanders killed by exposure to secondhand smoke.<sup>3</sup> This is the main reason we must legislate and enforce smoke-free laws. In Wisconsin, employees in the restaurant industry are exposed to twice the amount of secondhand smoke as office workers in settings where smoking is allowed; tavern workers are exposed to four to six times as much.<sup>1</sup> Four out of five Wisconsinites do not smoke, and they deserve protection from the insidious killer, secondhand smoke.

Both sides of the aisle know of the personal cost to smokers of continued smoking, the cost to employers of hiring smokers and the cost to Wisconsin citizens from smoking related illnesses. The 2006 Surgeon General's report puts to rest any claim that there is a lack of evidence that environmental tobacco smoke causes harm, disease, and death. You know the costs and the risks accompanying tobacco use, and we need to move ahead and create a 100% smoke-free environment recognizing that there is NO SAFE LEVEL OF EXPOSURE to environmental tobacco smoke.

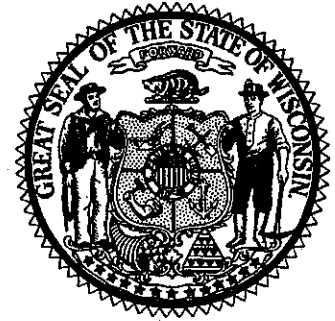
Smoking kills Wisconsin citizens whether you are a smoker or a non-smoker. We have the ability to "clear the air" and make the work environment safer for restaurant and bar workers as well as for the patrons. Let's do it. Let's do it in 2009. Why wait to provide a healthier environment for ourselves, our unborn children, and our loved ones? The time to act is NOW!

1. American Lung Association of Wisconsin's fact sheet supporting a statewide smoking ban.
2. NHTSA (National Highway and Traffic Safety Administration) 2006 Traffic Safety Facts
3. CDC (Center for Disease Control) Tobacco-Related Mortality Fact Sheet, 2006

# FRED A. RISSE

President

Wisconsin State Senate



**Testimony on Assembly Bill 253  
Assembly Committee on Health and Healthcare Reform  
May 6, 2009**

Representative Richards and members of the Committee:

Thank you for holding a hearing today on Assembly Bill 253, the Smoke Free Wisconsin Act.

The Smoke Free Wisconsin Act will prohibit smoking in all Wisconsin workplaces. All workers will be protected from the effects of second hand smoke; all businesses will be regulated equally.

For 25 years, Wisconsin's Clean Indoor Air Act (which I authored)—the current law governing smoke free environments-- has served as a minimum standard. Increasingly over the years, the strength of this law has become its greatest source of controversy—local control of smoking regulation.

Current law has created the problem of patchwork regulation of smoking throughout the state. Currently, there are 37 different communities with smoke free ordinances. Eleven of these communities have enacted their ordinances since smoke free workplace legislation was introduced during the 2007 Session.

The Smoke Free Wisconsin Act will eliminate the patchwork of regulation that has developed under current law. This legislation provides a high standard of protection for all indoor areas, leaving only regulation of outdoor areas to local government.

Another benefit to enacting a comprehensive smoke free workplace law is that it will improve the health of Wisconsin residents.

Non-smokers are contracting lung cancer at alarming rates due to increased, and unwanted, exposure to second hand smoke. According to the Centers for Disease Control, nonsmokers exposed to secondhand smoke increase their risk of contracting heart disease and lung cancer by 20-30%. Restaurant and bar employees are more likely to be subjected to unwanted exposure to secondhand smoke than other workers.

According to the Wisconsin Department of Health Services *Burden of Tobacco Report* (2006), nearly 16% of all annual deaths in Wisconsin are directly attributable to cigarette

smoking. In addition, \$2.16 billion is paid annually in Wisconsin direct health care costs. Clearing the air of second hand smoke will save lives, and decrease the overall cost of health care in our state.

Over one half of the population of the United States lives in an area covered by smoke free workplace laws. Twenty-two states, the District of Columbia and Puerto Rico have adopted workplace smoking laws, including our neighboring states of Minnesota, Iowa, and Illinois. Additionally, three more states will implement comprehensive smoke free workplace laws before the end of 2009. According to a March 2009 polling done by Mellman Group/Public Opinion Strategies, an overwhelming 69% of Wisconsin voters support a statewide smoke-free law that includes bars and restaurants.

The time has come to provide a healthy environment for workers and patrons alike. The time has come to ensure that businesses throughout the state are governed by one strong law regarding smoking in the workplace. The time has come to enact the Smoke Free Wisconsin Act.

Thank you for your consideration of this important issue.



## **Exemptions don't hurt American Lung Association ratings**

The American Lung Association grades states on their progress for smoke free air. They use the standardized grading scale A-F used most often in academics. Most states that have exemptions for tobacco shops and cigar bars still receive the best rating of "A".

It is clear that having exemptions for tobacco shops and cigar bars does not penalize a state in the eyes of the American Lung Association. States such as Arizona, California, Colorado, Massachusetts, New Jersey, New Mexico, New York, Oregon, and Rhode Island all receive the highest rating of "A" and each has provisions to allow smoking in tobacco shops and cigar bars.

*Please vote to exclude tobacco shops and cigar bars from any proposed smoking ban in the State of Wisconsin. Tobacco shops and cigar bars are already carrying a high burden of taxation due to recent tax increases. Excluding smoking from an establishment that incorporates that activity into their business model will cause many business failures, loss of jobs, loss of state tobacco tax revenue, income tax, and sales tax revenue that we simply cannot afford.*

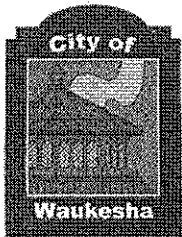
Information taken from the American Lung Associations "State of Tobacco Control 2008" report

State	Government		Private		Schools	Childcare Facilities	Restaurants	Bars	Casinos/Gaming Establishments		Retail Stores	Recreation/ Cultural Facilities		Penalties	Enforcement	Total Score Grade	
	Worksites	Worksites	Worksites	Worksites					Establishments	Establishments		Facilities	Facilities			Score	Grade
Alabama	2	1	2	2	2	2	0	0	0	0	2	2	2	5	4	20	F
Alaska	2	1	3	4	4	1	0	N/A			1	1	4	4	4	21	F
Arizona	4	4	5	4	4	4	4	4	4	4	4	4	4	5	4	46	A
Arkansas	4	3	4	4	4	3	1	1	1	4	4	4	4	4	4	36	B
California	5	3	4	4	4	4	3	3	3	3	3	3	5	4	4	40	A
Colorado	5	3	4	4	4	4	4	3	3	4	4	4	4	4	1	40	A
Connecticut	4	3	4	3	4	3	4	3	4	4	4	4	3	3	3	39	C
Delaware	4	4	4	4	4	4	4	5	4	4	4	4	4	5	4	46	A
District of Columbia	4	4	4	4	4	4	4	2	N/A		4	4	4	2	4	36	A
Florida	4	4	4	4	4	4	4	1	4	4	4	4	4	5	3	41	B
Georgia	4	3	4	4	4	4	3	1	N/A		3	4	4	2	3	31	C
Hawaii	5	5	4	4	4	4	4	5	N/A		4	4	4	4	4	43	A
Idaho	4	3	4	4	4	4	4	0	4	4	4	4	4	3	2	36	B
Illinois	5	5	4	4	4	4	4	5	4	4	4	4	4	5	4	48	A
Indiana	1	0	1	1	1	0	0	0	0	1	1	0	2	1	1	7	F
Iowa	4	4	5	4	4	4	4	4	1	4	4	4	4	4	4	42	A
Kansas	1	0	3	3	3	1	0	0	0	1	1	1	4	4	2	16	F
Kentucky	1	0	1	0	0	0	0	0	0	0	0	0	1	1	0	3	F
Louisiana	4	4	4	4	4	4	4	0	1	4	4	4	4	5	2	36	B
Maine	3	3	5	4	4	4	4	4	3	3	4	4	4	5	3	42	A
Maryland	4	4	4	4	4	4	4	4	4	4	4	4	4	3	3	42	A
Massachusetts	4	4	4	4	4	4	4	3	4	4	4	4	4	4	3	42	A
Michigan	1	0	3	4	4	1	0	0	0	1	1	1	4	4	2	17	F
Minnesota	3	3	4	4	4	4	4	5	4	4	4	4	4	3	3	41	A
Mississippi	3	0	4	0	0	0	0	0	0	0	0	0	0	2	2	11	F
Missouri	2	1	3	4	4	1	0	0	0	1	1	1	2	1	1	16	F

State	Government				Private				Childcare				Casinos/Gaming				Recreation/Cultural				Total Score	Grade
	Workplaces	Schools	Facilities	Restaurants	Bars	Establishments	Retail Stores	Cultural Facilities	Penalties	Enforcement												
Montana	4	4	3	4	3	1	1	4	4	4	4	4	4	4	3	35	I*					
Nebraska	2	1	1	4	1	0	4	1	1	1	1	2	1	18	I**							
Nevada	4	4	5	4	4	1	1	4	4	4	3	3	37	B								
New Hampshire	2	2	4	4	4	3	2	2	2	2	4	4	33	D								
New Jersey	4	4	5	4	4	2	2	4	4	4	5	3	41	A								
New Mexico	5	4	4	4	4	3	0	4	4	4	4	4	40	A								
New York	4	4	5	4	4	2	4	4	4	4	4	4	43	A								
North Carolina	1	0	4	0	0	0	N/A	0	0	0	1	0	6	F								
North Dakota	4	4	4	4	2	0	1	4	4	4	4	1	32	C								
Ohio	4	4	4	4	4	5	4	4	4	4	3	4	44	A								
Oklahoma	3	3	4	4	3	0	3	4	4	4	2	4	34	D								
Oregon	5	5	4	4	4	3	4	4	4	4	4	4	45	A								
Pennsylvania	4	4	4	4	2	0	2	4	4	4	4	4	36	C								
Rhode Island	4	4	4	4	4	3	2	4	4	4	4	4	41	A								
South Carolina	1	0	2	4	0	0	N/A	0	1	2	0	0	10	F								
South Dakota	4	4	4	4	2	0	0	4	4	4	4	0	30	F								
Tennessee	4	3	4	4	3	1	N/A	4	4	4	3	4	34	C								
Texas	0	0	1	4	0	0	0	0	1	2	1	9	F									
Utah	4	4	5	4	4	5	N/A	4	4	4	4	3	41	A								
Vermont	4	2	4	4	4	4	N/A	4	4	4	3	3	36	A								
Virginia	1	0	3	3	1	0	0	1	1	1	2	1	13	F								
Washington	5	5	4	4	4	5	4	4	4	4	4	4	47	A								
West Virginia	1	0	4	1	0	0	0	0	0	1	0	0	7	F								
Wisconsin	2	1	3	4	1	0	0	1	1	1	2	1	16	F								
Wyoming	0	0	0	0	0	0	0	0	0	0	0	0	0	F								

\*Montana gets an "I" for incomplete because they passed a smokefree law in 2005, but parts of it were delayed from taking effect until October 1, 2009.

\*\* Nebraska gets an "I" for incomplete because they passed a smokefree law in 2008, but it does not take effect until June 1, 2009.



## OFFICE OF THE MAYOR

201 DELAFIELD STREET  
WAUKESHA, WISCONSIN 53188-3633  
TELEPHONE 262/524-3700 FAX 262/524-3899

Larry Nelson, Mayor

mayor@ci.waukesha.wi.us

April 30, 2009

Dear Wisconsin Senators and Representatives,

I am writing to urge you to support an exemption in the upcoming smoking ban bill for a business in my city. The Nice Ash Cigar Bar is an asset to Waukesha and our historic downtown in particular. Nice Ash opened up 3 years ago and is an important part of our downtown's renaissance. Jeff and Joette Barta believed in our downtown when few others did. It has been very successful and has helped to draw other key businesses and restaurants to the downtown area. They run a good business that has never had any issues with law enforcement. In addition, they are active in the community and sponsor numerous charity events throughout the year.

As a cigar bar they are a smoking destination, meaning no one will wander into the business and be surprised they allow smoking. It simply would not be fair to prohibit smoking in a cigar bar or tobacco shop. These businesses could not survive a smoking ban and many jobs would be lost.

The Barta's have invested heavily in their business. They have two walk in humidors, air cleaning equipment and thousands of cigars in their inventory. Smoking at their establishment is a necessary component of their business model.

Please consider providing an exemption for Cigar Bars in the smoking ban legislation. I would hate to lose an asset for economic development that is helping to revitalize our downtown. They have recently purchased their building and are planning an expansion which depends upon their ability to provide a smoking environment. The expansion will definitely benefit our downtown by demonstrating the viability of businesses and hopefully attract even more investment.

Please feel free to contact me with any questions. Thank you for taking the time to consider my opinions and your daily efforts that help make Wisconsin a great state.

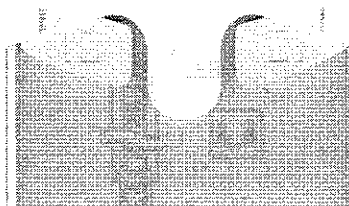
Sincerely,

Mayor Larry Nelson

LN/cc

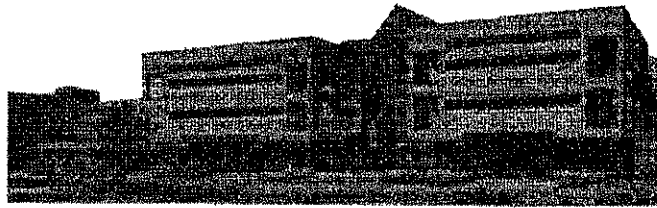
Legislators/nice ash

[www.ci.waukesha.wi.us](http://www.ci.waukesha.wi.us)





**OFFICE OF THE SHERIFF**



515 W. Moreland Blvd.  
Box 1488  
Waukesha, WI 53187

Waukesha County Jail  
Box 0217  
Waukesha, WI 53187

Waukesha County Huber  
1400 Northview Road  
Waukesha, WI 53188

**DANIEL J. TRAWICKI, *Sheriff***

May 1, 2009

Governors Office  
PO Box 7863  
Madison, WI 53707

RE: Smoke Free Wisconsin Act (LRB0086/LRB1080)

To Whom it May Concern:

I am aware of the pending legislation introduced regarding Smoke Free areas in Wisconsin, which generally speaking I support. I do understand however, there is the possibility of some exemptions to this bill. I can tell you first hand that in our county, we've had several different situations in which fund raisers have been held for our Sheriff's Department specialty units such as our K9 Unit or Tactical Unit, in which the fundraiser was actually held by either tobacco stores, or tobacco type establishments. In that regard, their contribution to our department is dependent upon their ability to have or host a charitable event that would include smoking.

In the situations I've been involved in as invitations and information goes out regarding the specific charitable event, all of the people invited are made aware of the fact that it is a tobacco store hosting the event and certainly are made aware of the fact that smoking will be occurring at this charitable event. They would be able to make a decision on their own as to whether or not they chose to attend. I realize there are many different exemptions likely to be introduced and reviewed in this matter and I would ask you to consider an exemption for certain charitable events, which has helped our agency in our ongoing efforts to maintain our level of service in difficult budget situations.

Should you have any questions regarding this matter, please feel free to contact me.

Sincerely,

Daniel J. Trawicki, Sheriff  
Waukesha County Sheriff's Department

*An Accredited Law Enforcement Agency*

Administration: 262-548-7126 Records: 262-548-7156 Process: 262-548-7151 Jail: 262-548-7170 Huber: 262-548-7181 Fax: 262-548-7887



May 6<sup>th</sup>, 2009

Dear Honorable Members of the Health and Healthcare Reform Committee,

My name is Fred Kramer and I am a resident of Burnett County. We in Burnett County are also strongly supportive of a state wide ban on second hand smoke. We believe that we are long overdue in getting the smoking ban passed. We are impatient with the equivocation that has been going on for too long. This a health issue and that is what we should be focusing on.

We recently had a forum on health issues in Burnett County; the health professionals emphasized that tobacco related health issues were the most serious issues in the county. Just today the view of the seriousness of the problem was highlighted on WPR where women with heart problem histories discussed the high relation of smoking to women's heart disease and second hand smoke.

We sincerely urge all legislators to focus on the high negatives of second hand smoke to the health of those exposed. This has become a moral issue as well as a health issue. Workers should not be expected to harm their health in order to have a job.

Fred Kramer, Chair Burnett County Democratic Party



WISCONSIN  
**ASTHMA**  
COALITION

★Children's Health  
Alliance of Wisconsin

May 4, 2009

To Whom It May Concern:

Secondhand smoke is a serious health hazard causing lung cancer, heart disease and serious respiratory illnesses such as asthma in nonsmokers. The Surgeon General has concluded that eliminating smoking in indoor spaces is the only way to fully protect nonsmokers from exposure to secondhand smoke.

**The following organizations have adopted a policy to hold all major events exclusively in communities that have enacted comprehensive smoke-free-workplace ordinances** (excluding those events already confirmed under contract).

- American Lung Association
- Children's Health Alliance of Wisconsin
- University of Wisconsin School of Medicine and Public Health, Pediatric Pulmonary Center
- Wisconsin Allergy Society: annual meeting, 70 attendees
- Wisconsin Association of Local Health Departments and Boards: annual conference, 500 attendees
- Wisconsin Association of School Nurses
- Wisconsin Asthma Coalition: 2 meetings annually, 100 attendees/meeting
- Wisconsin Chapter of the American Academy of Pediatrics: 3 meetings annually, 40 attendees/meeting
- Wisconsin Environmental Health Association
- Wisconsin Public Health Association: annual conference, 500 attendees
- Wisconsin Thoracic Society
- Wisconsin Tobacco Prevention and Control Program

To protect the health of our employees, members and attendees we will only hold our events in communities that have enacted comprehensive smoke free ordinances including: Appleton, Dane County, Eau Claire, Fond du Lac, Madison, Marshfield, Middleton, Monona, Shorewood, Shorewood Hills and Weston.

We recognize the economic impact our events have on a community through dollars spent at hotels and convention centers, restaurants, and other local businesses that would be patronized by attendees. We encourage you to support comprehensive ordinances mandating smoke-free workplaces so we can include your community when considering locations for meetings and conferences!

Sincerely,

Neal Jain, MD  
Chair, Wisconsin Asthma Coalition  
Dean Allergy

Susan Swan  
Executive Director  
American Lung Association of Wisconsin



*Karen Ordians*

Karen Ordians  
Executive Director  
Children's Health Alliance of Wisconsin

*Mary K. Schroth*

Mary K. Schroth, MD  
Director, Pediatric Pulmonary Center Grant  
American Family Children's Hospital  
University of Wisconsin School of Medicine and  
Public Health

*Mark Huffel*

Mark Huffel, MD  
President, Wisconsin Allergy Society  
Local Marshfield Clinic

*Joan P. Simpson, RN*

Joan Simpson, RN  
President, Wisconsin Association of School  
Nurses

*Signature pending*

Jim Stecker  
Co-President, Wisconsin Association of Local  
Health Departments and Boards  
Calumet County Board of Health

*Patti Wohfeil*

Patti Wohfeil  
Co-President, Wisconsin Association of  
Health Departments and Boards  
Waushara County Health Department

*Jeffrey Lamont, MD*

Jeffrey Lamont, MD  
President, Wisconsin Chapter of the American  
Academy of Pediatrics  
Marshfield Clinic

*Chris Hinz*

Chris Hinz  
President, Wisconsin Environmental Health  
Association  
Tri-County Environmental Health Consortium



Joan Theurer  
President, Wisconsin Public Health Association  
Marathon County Health Department

Steven Dolan, MD, FCCP  
President, Wisconsin Thoracic Society  
Froedtert Hospital  
Medical College of Wisconsin

Vicki Stauffer  
Section Chief, Wisconsin Tobacco Prevention  
and Control Program  
Division of Public Health